CONFERENCE ON DISARMAMENT

CD/1661
17 January 2002

Original: ENGLISH

LETTER DATED 14 JANUARY 2002 FROM THE PERMANENT REPRESENTATIVE OF THE UNITED STATES TO THE CONFERENCE ON DISARMAMENT ADDRESSED TO THE SECRETARY-GENERAL OF THE CONFERENCE TRANSMITTING THE TEXT OF A STATEMENT COMMEMORATING THE ENTRY INTO FORCE OF THE OPEN SKIES TREATY AS GIVEN ON JANUARY 9 IN WASHINGTON BY MR. RICHARD BOUCHER, SPOKESMAN OF THE U.S. DEPARTMENT OF STATE

Attached is the text of a statement commemorating the entry into force of the Open Skies Treaty, as given on January 9 in Washington by Mr. Richard Boucher, Spokesman of the U.S. Department of State.

I would be grateful if you would issue this text as an official document of the Conference on Disarmament and distribute it to all Member States and non-member participant States of the Conference.

(Signed): Eric M. Javits
Permanent Representative
of the United States to the
Conference on Disarmament

GE. * 2 0 0 2 0 6 0 1 7 1 *

ENG

U.S. Department of State, Washington, D.C.
Office of the Spokesman
January 9, 2002

STATEMENT BY MR. RICHARD BOUCHER, SPOKESMAN

Treaty on Open Skies Enters into Force

The Treaty on Open Skies, which will promote transparency and cooperation among its 26 parties, entered into force on January 1, 2002.

The original concept for the Treaty — mutual and cooperative aerial observation — was proposed by President Eisenhower in 1955, and the Treaty itself was an initiative of former President Bush in 1989. The Treaty was negotiated between the members of NATO and of the former Warsaw Pact, with the latter dissolving during the course of the talks. The Treaty was signed in Helsinki, Finland, on March 24, 1992, and elements have been applied provisionally since then. Most signatories ratified the Treaty soon after signature (the United States ratified in 1993), but two states whose ratification was required for entry into force — Belarus and Russia — did not do so until early last year, leading to its entry into force now.

Although the European security environment has changed significantly since the Treaty on Open Skies was negotiated and signed, the Treaty is still expected to be a useful element of the European security framework, which includes the Treaty on Conventional Armed Forces in Europe and the Vienna Document 1999 agreement on confidence- and security-building measures (CSBMs). The Treaty on Open Skies provides a means of further increasing transparency, mutual understanding, and cooperation, among its parties.

The following states have signed and ratified the Open Skies Treaty: Belarus, Belgium, Bulgaria, Canada, Czech Republic, Denmark, France, Georgia, Germany, Greece, Hungary, Iceland, Italy, Luxembourg, the Netherlands, Norway, Poland, Portugal, Romania, Russia, the Slovak Republic, Spain, Turkey, Ukraine, the United Kingdom, and the United States. (Kyrgyzstan has signed but not ratified.)

CONFERENCE ON DISARMAMENT

CD/1662
22 January 2002

Original: ENGLISH

Agenda for the 2002 session
(Adopted at the 889th plenary meeting, on 22 January 2002)

Taking into account, inter alia, the relevant provisions of the Final Document of the First Special Session of the General Assembly devoted to disarmament, and deciding to resume its consultations on the review of its agenda, and without prejudice to their outcome, the Conference adopts the following agenda for its 2002 session:

1. Cessation of the nuclear arms race and nuclear disarmament.

2. Prevention of nuclear war, including all related matters.

3. Prevention of an arms race in outer space.

4. Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

5. New types of weapons of mass destruction and new systems of such weapons; radiological weapons.

6. Comprehensive programme of disarmament.

7. Transparency in armaments.

8. Consideration and adoption of the annual report and any other report, as appropriate, to the General Assembly of the United Nations.

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GE.*200206025 2*
ENG

CONFERENCE ON DISARMAMENT

CD/1663
1 February 2002

Original: ENGLISH

LETTER DATED 1 FEBRUARY 2002 FROM THE PERMANENT REPRESENTATIVE OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA ADDRESSED TO THE SECRETARY-GENERAL OF THE CONFERENCE ON DISARMAMENT TRANSMITTING THE TEXT OF ANSWER GIVEN BY THE SPOKESMAN OF THE FOREIGN MINISTRY OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA TO THE KOREAN CENTRAL NEWS AGENCY REGARDING THE REMARKS MADE BY US UNDER SECRETARY OF STATE BOLTON AT THE CONFERENCE ON DISARMAMENT ON 24 JANUARY 2002

I have the honour to transmit the text of answer given by the Spokesman of the Foreign Ministry of the Democratic People's Republic of Korea to the Korean Central News Agency regarding the remarks made by US Under Secretary of State Bolton at the Conference on Disarmament on 24 January, 2002.

I would be grateful if you issue this text as an official document of the Conference on Disarmament and distribute it to all Member States and non-member participant States of the Conference.

(Signed:) Ri Tcheul
Ambassador
Permanent Representative

GE. 02-60300

ENG

ANSWER GIVEN TO KOREAN CENTRAL NEWS AGENCY BY THE SPOKESMAN OF THE FOREIGN MINISTRY OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA

On 24 January Under Secretary of State John Bolton urged the DPRK to accept an inspection by the International Atomic Energy Agency (IAEA), asserting that the nuclear issue of the DPRK poses a serious threat to international security, at the UN conference on disarmament

This is nothing but a provocative remark made by a person totally ignorant of the contents of the DPRK-U.S. agreed framework, to say nothing of the core of the nuclear issue.

The 1994 agreed framework was adopted to solve the nuclear issue. It is well known to everyone whose interests it reflects.

The keynote of it is the U.S. provision to the DPRK of two light water reactors, each with a capacity of one million kw, by the year 2003 in return for its freezing of an independent nuclear power industry.

According to the measure for simultaneous action stipulated in the framework, the DPRK froze its nuclear program and allowed the surveillance by the IAEA. But there has been no progress in the LWR project for the last seven years except a ground-work done for the construction.

The U.S. has, in fact, not properly discharged its obligations under the framework. nevertheless, it is now demanding "inspection" of the DPRK in a bid to attain its another sinister purpose.

It is the United States which has caused complicated problems in the implementation of the framework, including compensation for the electricity loss, a product of the delayed LWR construction and little progress in the supply of heavy oil. It is again the U.S. which is threatening the Korean people with nuclear weapons.

The U.S. is well advised to reflect on its actions before taking issue with the DPRK and, though belatedly, sincerely fulfil its commitments made in the framework.

CONFERENCE ON DISARMAMENT

CD/1664
6 February 2002

Original : ENGLISH

LETTER DATED 4 FEBRUARY 2002 FROM THE PERMANENT REPRESENTATIVE OF JAPAN TO THE CONFERENCE ON DISARMAMENT ADDRESSED TO THE SECRETARY-GENERAL OF THE CONFERENCE TRANSMITTING THE TEXT OF A SUMMARY OF THE "TOKYO FOLLOW-UP MEETING OF THE UNITED NATIONS CONFERENCE ON THE ILLICIT TRADE IN SMALL ARMS AND LIGHT WEAPONS IN ALL ITS ASPECTS" HELD IN TOKYO FROM 23 TO 25 JANUARY 2002*

I have the honour to forward to you a summary of the "Tokyo Follow-up Meeting UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects" in Tokyo from 23rd to 25th January 2002.

I would be grateful if you could issue this text as an official document of the Confe on Disarmament, and distribute to all member and non-member States participating in the of the Conference.

(Signed:) Seiichiro NOBORU
Ambassador
Delegation of Japan to the
Conference on Disarmament

* Reproduced from previously issued document A/56/810-S/2002/145 of 6 February 2002 as received.

GE. *2002-0606*9*

ENG

Chairperson's summary of the Tokyo Follow-up Meeting of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

The Tokyo Follow-up Meeting of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects was held from 23 to 25 January 2002 at the invitation of the Government of Japan. Forty-seven representatives from 32 Governments as well as 32 individuals representing various organizations and research institutes participated. (A list of participants is contained in appendix II.)

The objective of the Follow-up Meeting was to sustain the momentum of the United Nations Conference and to give the participants a first-hand opportunity to assess the outcome of the Conference and to consider ways to vigorously implement the Programme of Action adopted by the Conference.

The participants in the Meeting considered that the terrorist attacks of 11 September 2001 that took place between the United Nations Conference and the Tokyo Follow-up Meeting had the effect of making the issues of small arms and light weapons even more relevant, since the problems of terrorism, drug trafficking, organized crime, regional conflicts and the weapons used in such conflicts are closely linked and the international community must make greater efforts to deal with such new challenges.

The Meeting proved to be very timely and useful, and achieved its objectives. Most of the participants reiterated the need to sustain momentum of the Conference and to take active initiatives at all levels to implement the Programme of Action. All the keynote presentations were valuable and enlightening, and the exchanges of views that followed were stimulating and productive. The outline of the Meeting and some of the many salient points raised and discussed during the sessions are summarized below. Mr. M. Donowaki, special assistant to the Minister for Foreign Affairs of Japan, served as the chairperson of most of the sessions.

At the opening session, a message from Mr. Junichiro Koizumi, Prime Minister of Japan, was introduced; subsequently, the Meeting was addressed by Mr. Seiken Sugiura, Senior Vice-Minister for Foreign Affairs of Japan, Mr. Camilo Reyes, President of the Conference and Permanent Representative of Colombia to the United Nations Office at Geneva, and Mr. Carlos dos Santos, Chairman of the Preparatory Committee for the Conference and Permanent Representative of the Republic of Mozambique to the United Nations.

In session 1, under the theme "Assessment of the United Nations Conference", keynote presentations were made by Chairperson Mitsuro Donowaki, Special Assistant to the Ministry of Foreign Affairs of Japan, Camilo Reyes Rodriguez, President of the United Nations Conference, João Honwana, Secretary of the United Nations Conference and Chief of the Conventional Branch of the United Nations

Department for Disarmament Affairs, and Keith Krause, Programme Director of the Small Arms Survey, Geneva, followed by a general exchange of views.

In the discussion there was broad agreement on the value of the United Nations Conference and the Programme of Action as a legitimization of the various activities related to the issue of small arms and light weapons and the recognition of its importance. Although some participants thought that the Programme of Action did not go far enough, all agreed that it was a valuable first step. Moreover, there was broad agreement that the Programme of Action was a common basis from which different States and regions could move forward at a speed appropriate to their desires, needs and capacities. The Programme of Action empowers States and regions to decide what aspects of the issue to prioritize.

In session 2, under the theme "Exchange of views on the Programme of Action adopted at the United Nations Conference" keynote presentations were made by Ana Maria Sampaio of the Ministry of Foreign Affairs of Brazil, Denis Chouinard of the Department of Foreign Affairs and International Trade of Canada, Fu Chong of the Ministry of Foreign Affairs of China, C. Edward Peartree, Senior Policy Expert on Small Arms, Bureau of Political-Military Affairs, Department of State of the United States of America; Antonio Cosano Perez, Ambassador-at-Large for International Security Affairs of Spain, on behalf of the European Union; and Ambassador Pasi Patokallio of Finland, followed by a general exchange of views. The participants endorsed the approach of Mr. Reyes in highlighting a range of measures that could — and should — be taken immediately by States without requiring legislative procedures, for example, establishing national points of contact and designating national coordinating agencies for the implementation of the Programme of Action, and starting record keeping on small arms and light weapons. The United Nations Department for Disarmament Affairs is also empowered to collect and circulate such data and information provided by States. It was also noted that some measures were more relevant than others to particular regions — for example, in relation to the concerns of South-East Asia about transnational organized crime — and that this would determine implementation priorities.

During the discussion there was a very encouraging exchange of information, giving an early indication of the initiatives which were being undertaken, both regionally and nationally, to implement and advance the Programme of Action. Participants agreed that there were a large number of such initiatives under way, particularly in Latin America and Africa, and that this was a positive aid to speedy implementation of national measures.

In session 3, under the theme "Exports to non-State actors", keynote presentations were made by Ambassador dos Santos, C. Edward Peartree of the United States Department of State and Peggy Mason of Canada, followed by an interesting and informative discussion of the issue. This was a topic on which the positions of participating States at the United Nations Conference had been sharply divided.

Although these divisions remained, the discussion was constructive and several potential avenues for future work to bridge the divides were suggested. For example, Ambassador dos Santos highlighted the fact that effective implementation of the Programme of Action, particularly of its section II, paragraph 11, would make it much more difficult for non-State actors to obtain small arms and light weapons. Some participants suggested that the issue might be resolved through the efforts for

a clearer formulation of the export criteria of the Programme of Action in the follow-up process, while others thought that its recognition as a matter of principle might still be needed. Mr. Peartree agreed with other participants that disagreements on the issue should not be allowed to interfere with the implementation of the Programme of Action, which was the key priority, but he stated United States concerns about the failure to consider exceptional circumstances under which arms supplies to non-State actors would be necessary. He also noted that the United States favoured an alternative conceptualization, differentiating between responsible and irresponsible end-users. Ms. Mason suggested that a fruitful route for resolving the issue would be to look at international law and how it could be used to support a constructive interpretation of section II, paragraph 11. The establishment of a group of governmental experts for that purpose might be a way forward. The session proved to be the start of a constructive dialogue and it was agreed that the dialogue should be continued at future similar meetings.

In session 4, under the theme "International assistance and cooperation", keynote presentations were made by Yoshifumi Okamura, Director of the Arms Control and Disarmament Division, Japanese Ministry of Foreign Affairs (who also chaired the session); Owen Greene of the University of Bradford, United Kingdom; Samuel Hinga Norman, Deputy Minister of Defence of Sierra Leone; El Ghassim Wane, Acting Deputy Head of the Organization of African Unity Conflict Management Centre; Takuto Kubo of the United Nations Interim Administration Mission in Kosovo; and Sukehiro Hasegawa, Director of the Tokyo office of the United Nations Development Programme (UNDP), followed by a general exchange of views.

The session acknowledged the path-breaking initiative by the Government of Japan to implement an "action-oriented disarmament initiative". In the general discussion it was pointed out that some of the most affected and least developed countries lacked not only the capacity to implement the Programme of Action, but also sufficient knowledge about it. There was a discussion of the problems of small arms and light weapons in countries such as Cambodia in South-East Asia, Sierra Leone in Africa, and Albania and the former Yugoslav Republic of Macedonia in Europe. There was agreement as to the key role of development in providing incentives for disarmament, demobilization and reintegration, and recognition that the order in which those activities were undertaken might vary in order to meet local needs and conditions, for example, in Afghanistan. A key requirement was to make weapons less relevant to the local community, and this might require: providing security on the ground, security sector reform and providing people with a livelihood.

The session also included specific consideration of the needs of Afghanistan in the aftermath of the conflict there and the potential problem of the small arms and light weapons left in the region. The relationship between development and disarmament, demobilization and reintegration is relevant to the process beginning to get under way in Afghanistan, where priorities include: assisting the Interim Administration/Government in assessing the problem of small arms and light weapons; developing a strategy, policy and realistic action plan for small arms reduction in Afghanistan; creating opportunities for legal and sustainable livelihoods to reduce the demand for arms; collection and disposal of small arms and light weapons made redundant by peace-building and security sector reform processes; developing community approaches and awareness of small arms and light weapons

collection processes; building capacity to control illicit flows of small arms and light weapons through strengthening of border controls and regional cooperation; carrying out public awareness campaigns through visible destruction of initially collected small arms and light weapons to build public confidence; empowering civil society organizations to address the problem of small arms and light weapons and violence at the community level; strengthening border controls and regional cooperation in curtailing illicit flows of small arms and light weapons. UNDP expressed its readiness to work closely with the countries concerned on these priorities. In the discussion, concerns were expressed that the resources being channelled to Afghanistan might mean that less money would be made available elsewhere. However, as one participant noted, it was not always money that was required; shared expertise could be of equal value and that was a resource that even poor countries could share. South-South cooperation, particularly in terms of human resources, was very valuable.

In session 5, under the theme "Cooperation between governmental and non-governmental sectors", keynote presentations were made by Nobuhiko Suto of Interband, Paul Eavis of Saferworld, Eugenia Piza-Lopez of International Alert, Kentaro Genma, Project Adviser, Japanese Government Research on Small Arms Issues in Cambodia, and Virginia Gamba of Safer Africa, followed by a general exchange of views. The session produced very rich accounts of activities being undertaken between civil society, Governments and regional organizations in a number of regions and States. Important ideas were introduced, such as a "safety net" approach to dealing with ex-combatants and their families in carrying out disarmament, demobilization and reintegration projects. It was suggested that civil society could effectively assist Governments in promoting solutions to small arms and light weapons issues in a number of ways: policy formulation, action-oriented research, implementation and monitoring. Concerns were expressed that in some countries and regions scepticism remained on the part of Governments with regard to the role of NGOs and civil society. It was also noted that in some cases there needed to be greater coordination between NGO groups and increased accountability and transparency of both NGOs and Governments.

CONFERENCE ON DISARMAMENT

CD/1665
6 February 2002

ENGLISH
Original: CHINESE and
RUSSIAN

LETTER DATED 31 DECEMBER 2001 FROM THE PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION AND THE PERMANENT REPRESENTATIVE OF CHINA TO THE CONFERENCE ON DISARMAMENT ADDRESSED TO THE SECRETARY-GENERAL OF THE CONFERENCE TRANSMITTING THE RUSSIAN AND CHINESE TEXTS OF THE JOINT PRESS RELEASE ON THE RUSSIAN-CHINESE INTERAGENCY CONSULTATIONS ON STRATEGIC STABILITY (MOSCOW, 17 DECEMBER 2001)

We have the honour to forward to you the Russian and Chinese texts of the joint press release on the Russian-Chinese interagency consultations on strategic stability, held on 17 December 2001, in Moscow.

We would be grateful if the joint statement could be issued and circulated as an official document of the Conference on Disarmament.

(Signed): Leonid SKOTNIKOV
Ambassador
Permanent Representative of
the Russian Federation to the
Conference on Disarmament

(Signed): HU Xiaodi
Ambdassador
Head of Delegation of the
People's Republic of China to the
Conference on Disarmament

GE.02-60374 (E) 140202 150202

Joint press release on the Sino-Russian interagency consultations on strategic stability

The latest round of Sino-Russian interagency consultations on strategic stability were held in Moscow on 17 December 2001. The Chinese delegation was headed by Wang Guanya, Deputy Minister for Foreign Affairs of the People's Republic of China, and the Russian delegation by Georgy Mamedov, Deputy Minister for Foreign Affairs of the Russian Federation.

The two sides gave special attention to the situation resulting from the announcement by the United States of America of its unilateral withdrawal from the ABM Treaty. In their telephone conversation on 13 December 2001, Jiang Zemin, President of the People's Republic of China, and Vladimir Putin, President of the Russian Federation, stressed that they held identical views on the consequences of this step by the United States.

During their consultations, the two sides spoke in favour of the further coordination of foreign policy efforts to avert the destabilization of the international situation and to continue their steadfast endeavours to set in place a reliable strategic stability system based on international legal mechanisms.

The two sides underscored the utmost importance, in the currently evolving situation, of safeguarding the international arms control and disarmament system for the maintenance of peace and international security, which is the common responsibility of the international community. They drew attention to the need to continue the Russian-American dialogue and for the speedy development of a new framework for strategic relations. This new framework should be based on the consideration of mutual interests and the interests of all other countries, including the earliest possible conclusion by the Russian Federation and the United States of America of a legally binding agreement on further radical, verifiable and irreversible reductions of strategic offensive arms.

During their meeting, the two sides held a thorough exchange of views on a wide range of issues relating to non-proliferation, prevention of an arms race in outer space and the implementation of international arms controls agreements.

The two sides agreed to hold a further round of strategic stability consultations in the near future.

17 December 2001

CONFERENCE ON DISARMAMENT

CD/1666
13 February 2002

ENGLISH
Original: RUSSIAN

LETTER DATED 12 FEBRUARY 2002 FROM THE PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION TO THE CONFERENCE ON DISARMAMENT ADDRESSED TO THE SECRETARY-GENERAL OF THE CONFERENCE TRANSMITTING THE TEXT OF THE PRESS RELEASE OF THE MINISTRY OF FOREIGN AFFAIRS OF THE RUSSIAN FEDERATION ISSUED IN CONNECTION WITH THE STATEMENT BY THE UNDER-SECRETARY OF STATE OF THE UNITED STATES OF AMERICA, MR. JOHN R. BOLTON, TO THE CONFERENCE ON DISARMAMENT

I have the honour to transmit herewith the texts of the press release issued by the Ministry of Foreign Affairs of the Russian Federation on 28 January 2002 in connection with the statement made by the Under-Secretary of State of the United States of America, Mr. John R. Bolton on 24 January 2002.

I should be grateful if the press release could be issued as an official document of the Conference on Disarmament and distributed to the delegations of all member States of the Conference and non-member States participating in its work.

(*Signed*): Leonid A. SKOTNIKOV
Ambassador
Permanent Representative of the Russian Federation
to the Conference on Disarmament

GE.02-60387 (E) 150202 180202

PRESS RELEASE OF THE MINISTRY OF FOREIGN AFFAIRS OF THE RUSSIAN FEDERATION IN CONNECTION WITH THE STATEMENT BY THE UNDER-SECRETARY OF STATE OF THE UNITED STATES OF AMERICA, MR. JOHN R. BOLTON

Moscow has taken note of the statement made by the United States Under-Secretary of State, Mr. John R. Bolton, to the Conference on Disarmament in Geneva, setting forth the main elements of the policy of the administration of Mr. George W. Bush in the area of international security and disarmament.

Russia shares the understanding of the need to marshal, to the maximum possible extent, the efforts of the international community in fighting international terrorism and countering new threats and challenges. Similarly, we cannot but agree with the United States proposals to step up efforts to strengthen the internationally recognized non-proliferation standards and regimes and to preclude even the slightest possibility of weapons of mass destruction being turned into instruments of blackmail and terror.

All the same, Moscow is convinced that the most important means of strengthening strategic stability and international security under today's conditions must be the safeguarding and strengthening of the existing arms control and non-proliferation treaties and agreements.

At the same time, a number of United States approaches to disarmament issues - and these too have been reflected, yet again, in Mr. Bolton's statement - actually complicate the situation and weaken the international legal system in the area of disarmament. These include the United States decision to withdraw from the 1972 ABM Treaty, a step which Russia considers to be a mistake. They also include the unwillingness of Washington to ratify the START II Treaty and the Comprehensive Nuclear Test-Ban Treaty, as well as its rejection of the continuation of work on the verification mechanism under the Biological Weapons Convention. The overwhelming majority of countries support the launching of a negotiation process in the Conference on Disarmament on the prevention of an arms race in outer space; only the United States fails to see any need for this.

Russia regards the Conference on Disarmament as the sole international negotiating forum for the elaboration of universal disarmament agreements. In the context of globalization, we believe that there is no other way to tackle international problems than through extensive cooperation among States. We once again declare our readiness to search for mutually acceptable solutions as to how to begin the substantive work of the Conference, in the spirit of the compromise proposals on the programme of work already put forward by the Russian Federation.

28 January 2002

CONFERENCE ON DISARMAMENT

CD/1667
14 February 2002

Original: ENGLISH

Decision

(adopted by the Conference on Disarmament at its 893rd plenary meeting on 14 February 2002)

The Conference on Disarmament, reaffirming its commitment to work intensively towards t approval of a programme of work, using the Amorim Proposal, as contained in document CD/1624, a basis for further intensified consultations and taking into consideration all relevant proposals:

In accordance with CD/1653 (paragraph 41), decides to appoint Special Coordinators on the Review of its Agenda, the Expansion of its Membership and its Improved and Effective Functionin These Special Coordinators, in discharging their duties and functions, will take into account all proposals and views, as well as future initiatives. The Conference requests these Special Coordinat to report to it before the conclusion of the 2002 session.

GE. *200206043 3*

ENG

CONFERENCE ON DISARMAMENT

CD/1668
22 March 2002

Original : ENGLISH

LETTER DATED 20 MARCH 2002 FROM THE PERMANENT REPRESENTATIVE OF TURKEY ADDRESSED TO THE SECRETARY-GENERAL OF THE CONFERENCE ON DISARMAMENT TRANSMITTING THE TEXT OF THE PRESS RELEASE ISSUED BY THE MINISTRY OF FOREIGN AFFAIRS OF TURKEY ON 15 MARCH 2002 ON INDEFINITE EXTENSION OF THE COMPREHENSIVE MORATORIUM ON THE EXPORT AND TRANSFER OF ANTI-PERSONNEL LAND MINES

I have the honour to transmit herewith the text of the press release issued by the Ministry of Foreign Affairs of Turkey on 15 March 2002 on the indefinite extension of the comprehensive moratorium on the export and transfer of anti-personnel land mines.

I would be grateful if the press release could be issued and circulated as an official document of the Conference on Disarmament.

(Signed:) Murat SUNGAR
Ambassador
Permanent Representative

GE. 02020 60999

ENG

INDEFINITE EXTENSION OF THE COMPREHENSIVE MORATORIUM ON THE EXPORT AND TRANSFER OF ANTI-PERSONNEL LAND MINES

In view of the human sufferings and casualties caused by anti-personnel land mines, the international community has long been endeavoring to take effective measures in order to prevent their use. The resolutions of the United Nations General Assembly calling on Member States to implement a moratorium on the export of anti-personnel land mines constituted an important part of these efforts since 1993. In light of these resolutions, Turkey unilaterally declared on 17 January 1996 a comprehensive moratorium on all anti-personnel land mine exports and transfers for a renewable term of three years.

Moratoriums on the export of anti-personnel land mines were superseded on 1 March 1999 by the entry into force of the Ottawa Convention, which provides for the total prohibition of the use, stockpiling, production and transfer of the said mines as well as their destruction. The security situation around Turkey precluded her from signing the Ottawa Convention at the time of its conclusion. Nevertheless, as an expression of her commitment to the humanitarian objectives of the Convention, Turkey extended her national moratorium on the export and transfer of anti-personnel land mines on 17 January 1999 for another three years. Turkey also concluded agreements with Bulgaria in March 1999 and with Georgia in January 2001, with a view to establishing regimes for keeping the common borders free from these mines.

After careful consideration, Turkey has now decided to accede to the Ottawa Convention. Moreover, Turkey and Greece have agreed to concurrently start the procedures that will make both countries parties to the Ottawa Convention. Turkey has come to the stage of submitting the Convention to the Turkish Grand National Assembly for finalization of the accession procedures.

In the meantime, the duration of Turkey's national moratorium on the export and transfer of anti-personnel land mines expired in January 2002. Turkey has decided to extend once again her moratorium on the export and transfer of anti-personnel land mines, this time indefinitely, as an expression of her sincere commitment to becoming party to the Ottawa Convention.

15 March 2002

CONFERENCE ON DISARMAMENT

CD/1669
13 May 2002

Original: ENGLISH

LETTER DATED 6 MAY 2002 FROM THE PERMANENT REPRESENTATIVE OF SOUTH AFRICA TO THE CONFERENCE ON DISARMAMENT ADDRESSED TO THE SECRETARY-GENERAL OF THE CONFERENCE TRANSMITTING AN EXTRACT OF PARAGRAPHS RELATED TO DISARMAMENT AND INTERNATIONAL SECURITY FROM THE COMMUNIQUÉ OF THE MINISTERIAL MEETING OF THE COORDINATING BUREAU OF THE NON-ALIGNED MOVEMENT, HELD IN DURBAN ON 29 APRIL 2002

I have the honour to transmit herewith an extract of paragraphs issued in relation to Disarmament and International Security, from the Communiqué of the Ministerial Meeting of the Co-ordinating Bureau of the Non-Aligned Movement held in Durban on 29 April 2002.

I would be grateful if this document could be issued and circulated as an official document of the Conference on Disarmament to the delegations of all member States of the Conference and non-member States participating in its work.

(Signed:) Sipho George Nene
Ambassador
Permanent Representative to the
Conference on Disarmament

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ENG

EXTRACT FROM DISARMAMENT AND INTERNATIONAL SECURITY PARAGRAPHS OF THE COMMUNIQUÉ OF THE MINISTERIAL MEETING OF THE CO-ORDINATING BUREAU OF THE NON-ALIGNED MOVEMENT, DURBAN, 29 APRIL 2002

Quote

DISARMAMENT AND INTERNATIONAL SECURITY

60. The Ministers and Heads of Delegation reaffirmed and reiterated the long-standing principled positions of the Movement on disarmament and international security, including the decisions taken at the XII Summit in Durban and the XIII Ministerial Conference in Cartagena.

61. The Ministers, as a matter of principle, expressed their strong concern at the growing resort to unilateralism and unilaterally imposed prescriptions and in this context strongly underlined and affirmed that multilateralism and multilaterally agreed solutions, in accordance with the UN Charter, provided the only sustainable method of addressing disarmament and international security issues.

62. The Ministers remained deeply concerned at strategic defence doctrines that set out rationales for the use of nuclear weapons. They remain deeply concerned over the "Alliance Strategic Concept" adopted by NATO in April 1999, which not only maintain unjustifiable concepts on international security based on promoting and developing military alliances and policies of nuclear deterrence, but also includes new elements aimed to open even more the scope for possible use or threat of use of force by NATO.

63. In the context of the Nuclear Posture Review that is currently being undertaken by the United States of America, the Ministers expressed serious concern that the development of new types of nuclear weapons are being considered and the provision for the use or threat of use of nuclear weapons against Non-Nuclear Weapon States is in contravention of the negative security assurances that have been provided by the Nuclear Weapons States. The Ministers noted that the development of new types of nuclear weapons is in contravention with assurances provided by the Nuclear Weapons States at the time of the conclusion of the Comprehensive Test Ban Treaty that the Convention would prevent the improvement of existing nuclear weapons and development of new types of nuclear weapons.

64. The Ministers reiterated their deep concern over the slow pace of progress towards nuclear disarmament

which remains their highest priority. The Ministers also expressed their concern about the lack of progress by the Nuclear Weapon States to accomplish the elimination of their arsenals leading to nuclear disarmament. They stressed their concern at the threat to humanity derived from the continued existence of nuclear weapons and of their possible use or threat of use. The Ministers underscored the need to accomplish the total elimination of nuclear weapons and emphasised, in this regard, the urgent need to commence negotiations without delay.

65. They reaffirmed that in efforts towards the objective of nuclear disarmament, global and regional approaches and confidence building measures complement each other and should, wherever possible, be pursued simultaneously to promote regional and international peace and security.

66. The Ministers reaffirmed the importance of the Conference on Disarmament as the sole multilateral negotiating body on disarmament. They regretted that the continued inflexible postures of some of the Nuclear Weapon States continue to prevent the Conference on Disarmament from establishing an Ad Hoc Committee on nuclear disarmament to start negotiations on a phased programme for the complete elimination of nuclear weapons with a specified framework of time, including a Nuclear Weapons Convention. They reiterated their call on the Conference on Disarmament to establish as soon as possible and as the highest priority, an Ad Hoc Committee on Nuclear Disarmament. The Ministers underlined once again the unanimous conclusion of the International Court of Justice that there exists an obligation to pursue in good faith and to bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control. In this regard, they regretted that no progress has been made in the fulfilment of this obligation despite the lapse of five years.

67. The Ministers again called for an international conference, at the earliest possible date, with the objective of arriving at an agreement on a phased programmed for the complete elimination of nuclear weapons with a specified framework of time to eliminate all nuclear weapons, to prohibit their development, production, acquisition, testing, stockpiling, transfer, use or threat of use, and to provide for their destruction. In this context, they continue to welcome the United Nations Millennium Declaration in which Heads of State and Government resolved to strive for the elimination of weapons of mass destruction, in particular nuclear weapons, and to keep all options open for achieving this aim, including the possibility of convening an

international conference to identify ways and means of eliminating nuclear dangers.

68. The Ministers reaffirmed that the total elimination of nuclear weapons is the only absolute guarantee against the use or threat of use of nuclear weapons. They reiterated their conviction that pending the total elimination of nuclear weapons efforts for the conclusion of a universal, unconditional and legally binding instrument on security assurances to Non-Nuclear-Weapon States should be pursued as a matter of priority by the members of the Non-Aligned Movement.

69. The Ministers continued to be concerned over the negative implications of the development and deployment of anti-ballistic missile defence systems and the pursuit of advanced military technologies capable of deployment in outer space which have, inter alia, contributed to the further erosion of an international climate conducive to the promotion of disarmament and the strengthening of international security. The possible consequences of the decision by one of the States parties to the Treaty on the Limitation of Anti-ballistic Missiles (ABM) to withdraw from the Treaty brings new challenges to strategic stability and to the issue of the prevention of an arms race in outer space. The Ministers remained concerned that the implementation of a national missile defence system could trigger an arms race(s) and the further development of advanced missile systems and an increase in the number of nuclear weapons. In accordance with United Nations General Assembly resolution 56/23, they emphasised the urgent need for the commencement of substantive work, in the Conference on Disarmament, on the prevention of an arms race in outer space.

70. The Ministers noted that a Panel of Governmental Experts was established pursuant to General Assembly resolution 55/33 A to consider the issue of Missiles in all its aspects. They remain convinced of the need for a multilaterally-negotiated, universal, comprehensive and non-discriminatory approach towards missiles in all its aspects as a contribution to international peace and security. Pending the achievement of such a universal mechanism related to delivery systems for weapons of mass destruction, any initiative to address these concerns effectively and in a sustainable and comprehensive manner should be through an inclusive process of negotiations in a forum where all States could participate as equals. In this context, they emphasised the role of the CD as the sole multilateral disarmament negotiating forum of the international community.

71. The Ministers reiterated the Movement's long-

standing principled position for the total elimination of all nuclear testing. They stressed the significance of achieving universal adherence to the Comprehensive Nuclear Test Ban Treaty (CTBT), including by all the Nuclear Weapons States which, inter alia, should contribute to the process of nuclear disarmament. The Ministers expressed their satisfaction that 165 States have signed the Treaty and 90 States have ratified it thus far. They reiterated that if the objectives of the Treaty were to be fully realised, the continued commitment of all States signatories, especially the Nuclear Weapon States, to nuclear disarmament would be essential.

72. The Ministers continued to consider the establishment of nuclear-weapon-free zones (NWFZs) created by the treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba as a positive step towards attaining the objective of global nuclear disarmament. The Movement welcomes the efforts aimed at establishing new nuclear weapons-free zones in all regions of the world and calls for co-operation and broad consultation in order to achieve agreements freely arrived at between the states of the region concerned. They reiterated that in the context of nuclear-weapon free zones, it is essential that Nuclear Weapon States should provide unconditional assurances against the use or threat of use of nuclear weapons to all States of the zone. They urged States to conclude agreements with a view to establishing new nuclear-weapon-free zones in regions where they do not exist, in accordance with the provisions of the Final Document of the Special Session of the General Assembly devoted to Disarmament (SSOD-1) and the principles and guidelines adopted by the United Nations Disarmament Commission at its 1999 substantive session. In this context, the Ministers reiterated their support for Mongolia's nuclear-weapon-free status and consider that the institutionalisation of that status would be an important measure towards strengthening the non-proliferation regime in that region. The Ministers also expressed their support to the initiative of convening an international conference of the states parties, ratifiers and signatories to the treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba to discuss and implement further ways and means of co-operation among themselves, their treaty agencies and other interested states, at an appropriate time.

73. The Ministers reiterated the support for the establishment in the Middle East of a zone free of all weapons of mass destruction. To this end, they reaffirmed the need for the speedy establishment of a nuclear-weapon-free zone in the Middle East in accordance with Security Council resolutions 487

(1981) and 687 (1991) and the relevant General Assembly resolutions adopted by consensus. The Ministers called upon all parties concerned to take urgent and practical steps towards the establishment of such a zone and, pending its establishment, they demanded on Israel, the only country in the region that has not joined the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) nor declared its intention to do so, to renounce possession of nuclear weapons, to accede to the NPT without delay, to place promptly all its nuclear facilities under IAEA full-scope safeguards according to Security Council resolution 487 (1981) and to conduct its nuclear related activities in conformity with the non-proliferation regime. The Ministers expressed great concern over the acquisition of nuclear capability by Israel which poses a serious and continuing threat to the security of neighbouring and other States and we condemn Israel for continuing to develop and stockpile nuclear arsenals. The Ministers were of the view that stability cannot be achieved in a region where massive imbalances in military capabilities are maintained particularly through the possession of nuclear weapons which allow one party to threaten its neighbours and the region. We further welcome the initiative by H.E. Mr. Mohammed Hosni Mubarak, President of the Arab Republic of Egypt, on the establishment of a zone free from weapons of mass destruction in the Middle East. The Ministers stressed that necessary steps should be taken in different international fora for the establishment of this zone. The Ministers also called for the total and complete prohibition of the transfer of all nuclear-related equipment, information, material and facilities, resources or devices and the extension of assistance in the nuclear related scientific or technological fields to Israel. In this regard, the Ministers expressed their serious concern over the continuing development whereby Israeli scientists are provided access to the nuclear facilities of one Nuclear Weapon State. This development will have potentially serious negative implications on the regional security as well as the reliability of the global non-proliferation regime.

74. The Ministers of the States Parties to the NPT welcomed the outcome of the 2000 Review Conference of the Parties to the Treaty. In this regard they reiterated their call and the firm commitment by all States parties to the Treaty and called for the full implementation of the unequivocal undertaking given by the Nuclear Weapons States to the total elimination of their nuclear arsenals. The Ministers expected that this undertaking be demonstrated without delay through an accelerated process of negotiations and through the full implementation of the thirteen practical steps to advance

systematically and progressively towards a nuclear-weapon-free world. They took note of the First Preparatory meeting for the 2005 NPT Review Conference and emphasised the need for a substantive interaction beyond formal exchange of views between the States Parties at these meetings. The issues raised at the Preparatory meetings need to be addressed so as to continue strengthening the implementation of the Treaty and the undertakings agreed upon at the 2000 NPT Review Conference, and also to lay the necessary foundation for the development of recommendations at the Third Preparatory session for the 2005 Review Conference. They recalled that specific time was made available at the 2000 Review Conference and its Third Preparatory session for the discussion on and consideration of proposals on the provisions in Article VI of the NPT and in paragraphs 3 and 4 (C) of the 1995 decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament", dealing with nuclear disarmament, as well as on the Resolution on the Middle East adopted at the 1995 Review and Extension Conference. In this context, they reaffirmed the importance to establish at the 2005 Review Conference a subsidiary body to Main Committee I to deliberate on practical steps for systematic and progressive efforts to eliminate nuclear weapons, as well as a subsidiary body to Main Committee II to consider and recommend proposals on the implementation of the resolution on the Middle East adopted by the 1995 Review and Extension Conference of the NPT. In this regard, they emphasised the need for Preparatory Committee meetings to continue to allocate specific time for deliberations on nuclear disarmament and the implementation of the 1995 resolution on the Middle East.

75. The Ministers continue to note with concern that undue restrictions on exports to developing countries of material, equipment and technology, for peaceful purposes persist. They again emphasised that proliferation concerns are best addressed through multilaterally negotiated, universal, comprehensive and non-discriminatory agreements. Non-proliferation control arrangements should be transparent and open to participation by all States, and should ensure that they do not impose restrictions on access to material, equipment and technology for peaceful purposes required by developing countries for their continued development. In this regard they also expressed their strong rejection of attempts by any member State to use the International Atomic Energy Agency's (IAEA) technical co-operation programme as a tool for political purposes in violation of the IAEA's Statute.

76. The Ministers regretted unsubstantiated allegations of non-compliance with relevant instruments on WMD and called on states parties to such instruments that make such allegations to follow the procedures set out in those instruments and to provide the necessary substantiation for their allegations.

77. The Ministers of the States Parties to the Biological and Toxin Weapons Convention (BWC) reaffirmed their conviction that the Convention on the Prohibition of the Development, production and Stockpiling of Bacteriological (biological) and Toxin Weapons and on their Destruction is essential for the maintenance of international and regional peace and security. They reaffirmed the Movement's continued determination, for the sake of humankind, that the possibility of any use of bacteriological (biological) agents and toxins as weapons should be completely excluded, and the conviction that such use would be repugnant to the conscience of humankind. They recognised the particular importance of strengthening the Convention through multilateral negotiations for a legally binding Protocol to the Convention. They believed that the effective contribution of the Convention to international and regional peace and security would be enhanced through universal adherence to the Convention. They recalled the decision by all the States Parties calling on the Ad Hoc Group to intensify its work with a view to completing it as soon as possible before the commencement of the Fifth Review Conference. The Ministers regretted that due to the decision by a major negotiating partner to oppose the draft composite text of the Protocol that had been presented by the Chairman of the Ad Hoc Group, and had a broad support as a basis for the conclusion of the negotiations, the Group was unable to fulfil its mandate and submit its report, including a draft of a legally-binding instrument to the States Parties to the Convention prior to the Fifth Review Conference. They believed that the threat of biological weapons as instruments of war and terror have reinforced the necessity and urgency to strengthen the effectiveness and improve the implementation of the Convention. In this regard, we emphasise that the mandate given to the Ad Hoc Group by the Special Conference in 1994 remains valid and determines any future work of the Ad Hoc Group. They stressed the importance for all States Parties to pursue the objectives that were set forth by the Fourth Review Conference and underlined that the only sustainable method of strengthening the Convention is through multilateral negotiations aimed at concluding a non-discriminatory legally-binding agreement. They furthermore regretted the inability of the Fifth Review Conference to conclude its work in the allocated period of time during 2001, and called on the States parties to

show the necessary flexibility for the Conference to successfully conclude when it reconvenes in November 2002. In this regard, they regretted the unsubstantiated allegations of non-compliance that were made at the Review Conference and called on States parties that make such allegations to follow the procedures set out in the Convention and to provide the necessary substantiation for these allegations.

78. The Ministers of the States Parties to the Chemical Weapons Convention (CWC) welcomed the increasing number of ratifications of the Convention and invited all States who have still not ratified it to do so as soon as possible with the view to its universality. They also underlined the urgency of satisfactorily resolving the unresolved issues in the framework of the Organisation for the Prohibition of Chemical Weapons (OPCW) with a view to paving the way for the effective, full and non-discriminatory implementation of the Convention. In this context, the Ministers reiterated their call on the developed countries to promote international co-operation through the transfer of technology, material and equipment for peaceful purposes in the chemical field and the removal of all and any discriminatory restrictions that are contrary to the letter and spirit of the Convention. They also called upon States having declared possession of chemical weapons to bring about the destruction of their chemical weapons at the earliest possible date. While recognising the financial and technical challenges for some possessors, the Ministers called upon those States parties in a position to do so, and where requested, to assist such possessor States in the achievement of the ultimate goal of the Convention - the total elimination of chemical weapons. The Ministers noted the convening, next year, of the First Review Conference of the CWC and called on the importance that it has a significant outcome towards the strengthening of that international regime.

79. The Ministers expressed their concern at the use of coercive methods by some countries inside international organisations, including financial influence, in the pursuit of unilateralist interests. They also expressed their concern at the impact that such unilateral acts could have on the independence of the functioning of international organisations and the multilateral system as a whole.

80. The Ministers affirmed the need of strengthening the Radiological Safety and Protection Systems at facilities utilising radioactive materials as well as at radioactive waste management facilities, including the safe transportation of these

materials. They encouraged design of an appropriate international regime for physical protection of radioactive materials during their transportation. The Ministers reaffirmed the need for the states involved in the transportation of hazardous waste to provide relevant information to concerned states regarding this transportation. The Ministers welcomed the convening of a Conference on these issues to be held in 2003.

81. The Ministers remain deeply concerned over the illicit transfer, manufacture and circulation of small arms and light weapons and their excessive accumulation and uncontrolled spread in many regions of the world. They welcomed the adoption by consensus of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and light Weapons in All Its Aspects at the United Nations Conference which sets out a realistic, achievable and comprehensive approach, to address the problems associated with illicit trade in small arms and light weapons on the national, regional and global levels. To this end they again commend the role of Ambassador Camilo Reyes from Colombia as president of the Conference and Ambassador Carlos Dos Santos from Mozambique as Chairman of the Preparatory Committee. They again noted with satisfaction the positive, constructive and mutually supportive role played by delegations from the Movement during the Conference. The Ministers considered this to be a manifestation of the effectiveness of the Movement in multilateral fora. They remain deeply concerned over inability of the Conference to agree- due to the position of one state - on language recognising the need to establish and maintain controls over private ownership of small arms, and the need for preventing sales of such arms to non-state groups. They considered that these issues are directly related to the problems associated with the illicit trade in small arms and light weapons faced by many members of the Movement. They reiterated their call on all States to ensure that the supply of small arms and light weapons is limited only to Governments or to entities duly authorised by Governments and to implement legal restrictions on the unrestricted trade in and ownership of small arms and light weapons.

82. The Ministers continue to deplore the use, in contravention of international humanitarian law, of anti-personnel mines in conflict situations aimed at maiming, killing and terrorising innocent civilians, denying them access to farmland, causing famine and forcing them to flee their homes eventually leading to depopulation and preventing the return of civilians to their place of original residence. They again called upon the international community

to provide the necessary assistance to landmine clearance operations as well as the rehabilitation of victims and their social and economic reintegration in the landmine affected countries. They further called for international assistance to ensure full access of affected countries to material equipment, technology and financial resources for mine clearance. They also called for increased humanitarian assistance for victims of landmine.

83. The Ministers expressed concern about the residue of the Second World War, particularly in the form of land mines which have caused human and material damage and obstructed development plans in some Non Aligned countries. We call on the States primarily responsible for laying the mines outside their territories to co-operate with the affected countries, provide the necessary information, and maps indicating the locations of such mines, technical assistance for their clearance and contribute towards defrayal of the costs of clearance and provide compensation for any ensuing losses.

84. The Ministers of states parties to the Convention on Prohibition or Restrictions on the Use of Certain Conventional Weapons Which May be Deemed to be Excessively Injurious or to Have Indiscriminate Effects (CCW) and its Protocols encouraged States to become parties to it. They took note of the outcome of the Third Review Conference of the CCW. They also took note of the Second Annual Conference of States Parties to the Amended Protocol II to the CCW, realised in Geneva in December 2000 and stress the importance of its effective implementation. The Ministers also took note of the realisation of the Third Meeting of States parties to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction which took place in Managua in September 2001.

85. The Ministers reiterated once again their support for the convening of the Fourth Special Session of the United Nations General Assembly devoted to Disarmament. They reiterated their deep concern over the lack of consensus on the deliberations held by the United Nations Disarmament Commission in 1999 on the agenda and objectives. They recalled that the General Assembly requested the Secretary-General to seek the views of Member States on the objectives, agenda and timing of the Special Session. The Ministers continue to call for further steps leading to the Convening of the Fourth Special Session with the participation of all Member States of the United Nations as well as the need for SSOD-IV to review and assess the implementation of SSOD-1, while reaffirming its principles and priorities.

86. The Ministers stressed the importance of the reduction of military expenditures, in accordance with the principle of undiminished security at the lowest level of armaments, and urged all states to devote resources made available therefrom to economic and social development, in particular in the fight against poverty. They expressed their firm support for unilateral, bilateral and multilateral measures adopted by some governments aimed at reducing military expenditures, thereby contributing to strengthening regional and international peace and security. In this regard they took note of the measures being examined by some governments such as the Andean Community of Nations.

87. The Ministers commended the work carried out by the NAM Working Group on Disarmament and encourage delegations to continue their active work on issues of common concern to the Movement.

Unquote

CONFERENCE ON DISARMAMENT

CD/1670
23 May 2002

Original: ENGLISH

Proposal by the President

Draft Decision

Recalling the United Nations General Assembly resolution 56/24 T on Multilateral cooperation in the area of disarmament and non-proliferation and global efforts against terrorism

and

with reference to the agreed mandate (CD/1299), common experience and existing proposals when initiating the work of the Conference on Disarmament in 2002,

the Conference on Disarmament decides to establish the following bodies:

- Working Group on Nuclear Disarmament
- Ad Hoc Committee on Treaty Banning the Production of Fissile Material (CD/1547)
- Working Group on Prevention of Arms Race in Outer Space
- Working Group on Negative Security Assurances (CD/1501/ para 2)

When initiating the work, the Conference will apply the schedule of activities as indicated in annex I.

The nomination of the Chair persons to the above-mentioned working bodies will follow the understanding reflected in annex II.

The Conference may reassess this arrangement on the basis of progress made.

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Annex I

CONFERENCE ON DISARMAMENT

SCHEDULE OF ACTIVITIES

	Monday	Tuesday	Wednesday	Thursday	Friday
Morning	-	AHC/**TBPoFM**		**Plenary**	WG/**NSA**
Afternoon	WG/**ND**	-	WG/**PAROS**	(reserved for open-ended informal meetings)	-

Annex II

CONFERENCE ON DISARMAMENT

The subsidiary bodies will be chaired as follows:

Working Group on Nuclear Disarmament:	the representative of the G-21
Ad Hoc Committee on Treaty Banning the Production of Fissile Material:	the representative of the Western Group
Working Group on Prevention of an Arms Race in Outer Space:	the representative of the Eastern Group
Working Group on Negative Security Assurances:	the representative of the G-21

CONFERENCE ON DISARMAMENT

CD/1671
28 May 2002

Original: ENGLISH

SOUTH AFRICA

Working Paper

The Possible Scope and Requirements of the Fissile Material Treaty (FMT)

BASIC CONSIDERATIONS

1. In achieving the ideals of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) - namely to prevent the proliferation of nuclear weapons, to achieve the cessation of the nuclear arms race and to achieve nuclear disarmament - control over nuclear weapons materials and the cessation of their production for weapons purposes would be important steps in the complex political and technical process of nuclear disarmament. Nuclear weapons may range in sophistication from fission weapons to boosted weapons, thermonuclear weapons, fission-fusion-fission weapons and enhanced radiation weapons. All require certain specialized materials for their construction. Ceasing the production of such materials could lead to a quantitative capping of the number of weapons in existence and to laying the foundation for their eventual elimination.

2. For the purpose of developing some thoughts on the possible scope and requirements of a fissile material treaty (FMT), the considerations below, are used as a starting point :

   (a) The NPT is the principal motivating treaty with respect to the ideal of nuclear disarmament. Treaties such as the Comprehensive Test Ban Treaty (CTBT) and the FMT are important in complementing and achieving this ideal.

   (b) Articles VI and VII of the NPT recognise the importance of bilateral, multilateral or regional efforts towards the cessation of the nuclear arms race and nuclear disarmament, i.e efforts in parallel to the NPT.

   (c) For pragmatic reasons the International Atomic Energy Agency (IAEA) could be considered as an appropriate Agency for verification of the FMT under certain conditions.

   (d) For practical and political reasons, the declaration of historically produced stocks of weapons materials by all States with nuclear weapons is not believed to be feasible. Materials already declared as excess could be included as a starting point ("baseline") at entry into force of the FMT for a given State with nuclear weapons.

   (e) The continued use of weapons grade material in naval military reactors will require special consideration.

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(f) Tritium is not a fissile material but without tritium many types of modern nuclear weapons will become ineffective. It is consequently considered unlikely that there would be agreement to include tritium in an FMT because of definitional and political problems.

(g) A primary focus of the FMT should be to stop the further production of nuclear materials (in practice certain uranium and plutonium isotopes and perhaps also certain other trans-uranic elements) from which nuclear explosives can be made. Using the term "fissile material" in a generic sense for these weapons materials could cause misunderstanding - in a technical sense "fissile material" has different definitions. A common understanding will have to be agreed for the use of the term.

(h) Although the FMT is intended to be a multilateral treaty, the practical effect of the Treaty will primarily affect only those few States producing, capable of producing or possessing nuclear materials that can be used for nuclear explosive purposes.

THE NPT AND DISARMAMENT

3. In view of Article VI and the relevant objectives contained in the Preamble, the NPT anticipated the cessation of the nuclear arms race and the achievement of the elimination of nuclear weapons.

4. A principal objective of the NPT is nuclear disarmament (along with the objectives of non-proliferation, technical verification, non-proliferation controls and the promotion of the peaceful uses of nuclear energy). Following on the 1995 NPT Review and Extension Conference (NPTREC) and in terms of the document on "Principles and Objectives" adopted there, the CTBT, has already been finalized. A further step in the process, but also an adjunct to the NPT, would be the FMT. The FMT is therefore one of the tools (together with other measures) which would lead to accomplishment of the NPT's objectives.

5. At the 2000 NPT Review Conference, the Nuclear Weapon States gave an unequivocal undertaking to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament to which all States parties are committed under Article VI.

6. The 2000 NPT Review Conference also agreed on the necessity of negotiations in the Conference on Disarmament on a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other explosive devices in accordance with the statement of the Special Coordinator in 1995 and the mandate contained therein, taking into consideration both nuclear disarmament and nuclear non-proliferation objectives. Furthermore, the Conference on Disarmament was urged to agree on a programme of work which includes the immediate commencement of negotiations on such a treaty with a view to its conclusion within five years.

7. Viewed from this perspective the FMT could be relatively simple :

(a) Capturing in an irreversible way weapons material declared as excess in an ongoing

process

(b) Preventing altogether or regulating the further production of weapons-grade materials for legitimate (non-proscribed) uses such as fuel for research reactors, naval reactors, etc

(c) Making "closed-down/decommissioned" production and associated facilities subject to verification to prevent their re-use for weapons purposes.

VERIFICATION

8. For the effective verification of this material, a system comprising of three components are foreseen :

(a) A component dealing with facilities which had previously produced fissile material for nuclear explosive purposes.

(b) A component suitably adapted to weapons grade materials, declared as excess and placed under the supervision of the verification organisation while this material is still in a sensitive geometrical and compositional form.

(c) A component, which will be similar to or the same as IAEA safeguards, dealing with:

- the materials once they have been re-worked into non-sensitive forms; and
- for the production of materials for non-proscribed military uses allowed by the Treaty.

STOCKS

9. If under "stocks" the past production of weapons grade material is understood, then there are both political and practical reasons why a full/complete declaration of such stocks as a requirement of the FMT could be problematic in the negotiations for the treaty as well as for its subsequent implementation.

10. In declaring past production of weapons-grade Plutonium (Pu),even the most transparent of the Nuclear Weapon States (NWS), has in doing so revealed a problem of great practical significance, i.e the fact that no account could be given of about 2 800 kg of Pu - enough to manufacture several hundred nuclear weapons. The practical significance of declaring stocks with such a large discrepancy is therefore questionable. This is a practical problem which was also experienced in the South African case. During the "completeness investigation" in South Africa by the IAEA, the existence of a discrepancy could only be accepted on the strength of other supporting data (i.e other than nuclear materials

accounting), such as operational records, electricity consumption, reports on chemical losses, etc. Considering that South Africa produced a relatively small quantity of HEU over a period of about 15 years, the practical problem of giving an accurate production figure for tens and hundreds of tons of material produced over half a century would present significant practical problems. Declaration of nuclear material in weapons or directly associated with nuclear weapons without the ability to verify the declaration which will be made would therefore not contribute to confidence building.

11. The FMT could address weapons material which has been transferred from military use to peaceful nuclear activities (declared as excess). This excess material would be included in a starting inventory of a State upon entry into force of the FMT (without an obligation to declare its "completeness and correctness" from a production point of view) and would be subject to the verification machinery provided for in the treaty. Further material declared as excess in the future would continuously be added to the starting inventory in an irreversible way.

NAVAL REACTORS

12. The model for Comprehensive Safeguards Agreements (CSA), INFCIRC/153, has since its approval in 1972, contained an Article (Article 14) which allows nuclear material to be withdrawn from safeguards for "non-proscribed military activities".

13. The Article was specifically intended to be applied to nuclear material for naval nuclear reactors using HEU. In practice this Article has never been applied, probably because only the NWS have military naval reactors in operation (nuclear submarines and aircraft carriers) and NWS are not subject to Comprehensive Safeguards Agreements.

14. The need for fuel for naval reactors will exist as long as naval vessels using these reactors exist. The possibility of changing from HEU to LEU fuel is remote, especially for submarines.

15. The obvious conclusion is that an allowance will have to be made in the FMT for military naval reactors - an exception which has also been available for Non-Nuclear Weapon States (NNWS), in principle, for more than 25 years.

TRITIUM

16. Hydrogen has 3 isotopes; hydrogen itself, deuterium and tritium. Deuterium occurs in nature and is separated from ordinary water as 'heavy water' (i.e in the form of its compound with oxygen). Tritium, however, is a radioactive substance with a half-life of about 12 years which is produced in reactors by irradiating an isotope of lithium (Li6) with neutrons.

17. Most, if not all, modern nuclear weapons use tritium, i.e to either boost the yield of an

implosion (Pu) bomb or to combine with deuterium in a fusion reaction in thermonuclear weapons. Without replenishing the decaying tritium from time to time, the effective yield of some nuclear weapons would be drastically reduced.

18. While a ban on the production of tritium would starve certain nuclear weapons from an essential component, leading to the natural 'death' over time of many modern weapons containing this material, it would not eliminate all nuclear weapons. A plutonium or HEU bomb, less effective with regard to yield, can still be made without tritium. The miniaturisation of nuclear devices will, however, be severely handicapped.

19. The need for tritium will, in practice, only disappear to the extent that nuclear disarmament undertakings reach their final objective.

20. The production of tritium in civil nuclear reactors for use in nuclear explosive devices should be prohibited by the FMT.

FISSILE MATERIAL

21. The devastating energy release of a fission bomb is brought about by an uncontrolled nuclear chain reaction of fissioning ('splitting') uranium or plutonium nuclei. The splitting of such a nucleus by a bombarding neutron, releases more neutrons leading to a rapidly escalating chain reaction of fissioning nuclei with the accompanying release of vast quantities of energy. An important aspect, relevant in the context of this discussion, is that the chain reaction in nuclear weapons is associated with metal systems and fast neutrons.

22. In contrast to this the controlled nuclear chain reaction which takes place in a commercial power reactor is the result of slow neutrons. The fast neutrons released in fission reactions are slowed down by collisions with moderator atoms such as hydrogen. The water in the core of a LWR therefore serves two purposes, cooling the reactor and slowing down the neutrons.

23. Certain nuclides can be made to chain react with slow as well as fast neutrons and certain others only with fast neutrons. In addition, many nuclides can be made to fission (split) when bombarded with suitable particles (not only neutrons), releasing energy, but without leading to a chain reaction.

24. The information given in the preceding paragraphs is intended to give the necessary background for appreciating a specific problem with the name of the FMT, i.e understanding what is meant (or intended to be meant) by "fissile material". Various definitions for this term exist in the technical literature. For example, in a 1999 Technical Note of the IAEA, the following definition is given: "All nuclear weapons employ fission energy components. All isotopes of all elements beginning with uranium will fission when struck by a neutron, i.e, they are to some extent fissionable. The fissionability of the isotopes of a given element show marked differences (e.g., 235U is much more

fissionable than 238U). Most heavy nuclei require that the incident neutron has a substantial amount of kinetic energy to induce fission, however, a few heavy nuclei will fission when the kinetic energy of the incident neutrons is essentially zero; such nuclei are said to be fissile. 233U, 235U, 239Pu and 241Pu are the most common fissile nuclides".

25. Without further discussion of the various definitions, it is clear that the term "fissile material" is usually associated with materials chain-reacting with slow neutrons, i.e materials used in power reactors. However, the term also includes weapons materials because materials which chain-react with slow neutrons also do so with fast neutrons. In using the word "fissile" in the FMT, it should be made very clear that it does not include stopping the production of "fissile material" for other than nuclear explosive uses. Without such a qualifier, a ban on production for nuclear weapons purposes could mean stopping the production of commercial reactor fuel and of weapons materials. Whereas it is accepted that it would be difficult if not impossible to change the name of the Treaty at this stage it should be clear that "fissile material" should be defined as addressing nuclear materials that can be made to chain react for the purpose of a nuclear weapon.

OTHER TRANSURANIC ELEMENTS

26. The IAEA has recently shown an interest in the proliferation potential of neptunium (Np) and americium (Am). These elements are formed at very low concentrations in nuclear fuel when irradiated in a reactor and need specially designed industrial scale facilities to separate it from unused uranium or produced Pu recovered in plants which reprocess irradiated fuel, or in plants processing the high level waste resulting from reprocessing. Present quantities of separated Np and Am are small. However, Np is suitable for making a nuclear explosive device (even a relatively simple gun-type device). There is a difference of opinion regarding the credible use of Am for such a purpose due to its physical (not nuclear) characteristics. Np should probably be included in the FMT.

A POSSIBLE MODEL FOR THE FMT

What would remain outside the FMT

27. As long as there is no final agreement on nuclear disarmament, certain activities OUTSIDE THE FMT would continue :

(a) The isotope required for a plutonium device, i.e Pu239, is inevitably accompanied by other isotopes of Pu such as Pu241 and Pu240. Being radioactive some of these decay to americium with a half-life of 14,4 years, which in itself is radioactive. Radioactive decay is accompanied by heat production which is detrimental to the fine engineering tolerances required in the core of the weapon. The plutonium cores of weapons therefore have to be removed from time to time and reworked to remove the americium and other decay products. In addition, tritium has to be replenished.

There will consequently be facilities associated with fabrication, refabrication and storage of weapons material and the weapons themselves, that would exist outside the FMT as long as there are nuclear weapons.

(b) Facilities for dismantling nuclear weapons agreed to under disarmament (or voluntary) undertakings would most probably also not be accessible to international inspections due to proliferation concerns.

(c) Fuel fabrication for military naval reactors, would also not be accessible for reasons discussed above.

28. In summary, what would not be covered by the FMT would probably be :

(a) Weapons-grade material in existing weapons and in reserve for such weapons;
(b) Associated fabrication, refabrication and storage facilities;
(c) Facilities for the active dismantling of obsolete and redundant weapons, as well as those agreed to in terms of disarmament undertakings; and
(d) Fuel fabrication and reprocessing facilities associated with military naval reactors.

What could be covered by the FMT

29. Production facilities for the nuclear materials agreed to under the FMT will obviously be closed down/decommissioned[1]. It is possible that certain redundant fabrication or refabrication facilities will also be closed down. In addition certain facilities will be required to store the nuclear components declared as excess in their original geometrical or compositional forms. If these components are to be reworked to a less sensitive form, dedicated facilities may be employed for that purpose.

30. It is evident that most of these facilities and the warheads themselves may contain very sensitive information from a proliferation point of view. A special verification regime (no direct access for measurements, managed access in certain areas, etc) will be necessary with the prime purpose to ensure irreversibility, i.e that material declared as excess does not return to the weapons/military domain and facilities are not re-used for their original weapons-related purposes.

31. In summary :

[1] See IAEA definitions as they appear in the Additional Protocol (INFCIRC/540), namely:
Closed-down facility: An installation where operations have been stopped and the nuclear material removed but which has not been decommissioned.
Decommissioned facility: An installation at which residual structures and equipment essential for its use have been removed or rendered inoperable so that it is not used to store and can no longer be used to handle, process or utilise nuclear material.

(a) The type of 'fissile material' agreed to under the FMT will no longer be produced (probably only HEU and weapons-grade Pu). However, if fresh HEU needs to be produced for use in naval reactors, it will be done under strict verification.

(b) Material declared as excess (the result of parallel disarmament undertakings) would be covered by the FMT and be subject to appropriate verification.

(c) Facilities that will be closed down/decommissioned in terms of the Treaty and facilities for reworking the material which has been declared as excess and which is still in sensitive forms should be subject to appropriate verification.

(d) The verification regime would consequently have to be adapted to minimize proliferation concerns.

(e) The main purpose of verification will be to ensure irreversibility (materials and facilities).

Excess material in non-sensitive form

32. Once original weapons material has been reworked into a less sensitive form, it can be introduced into the verification system as new nuclear material. Since it would be HEU or predominantly Pu239, the material would probably be downgraded (to LEU in the case of HEU) or used for the production of MOX (mixed oxide) fuel as the need arises. The rest of the material will be stored under normal verification conditions. These processes or the storage of the material should be subject to verification similar to IAEA safeguards.

33. As more and more material is transferred from the military to the civil domain, this material could be used in power reactors after suitable fuel fabrication. This could impact on the need for the production of new low enriched uranium from source material and reprocessing of spent fuel for the recovery of unused U235 and newly produced Pu. However, it would not obviate the need for enrichment and reprocessing capabilities in the long-term and these activities should therefore be allowed to continue under normal safeguards verification procedures. The FMT should not prohibit these activities - adequate safeguards measures exist to ensure that enrichment and reprocessing facilities are not used contrary to non-proliferation requirements.

THE INTERNATIONAL ATOMIC ENERGY AGENCY (IAEA) AS A POTENTIAL VERIFICATION ORGANISATION FOR THE FMT

34. In spite of the fact that verification of the FMT will in practice have a significant impact only on those few States that produce or possess nuclear weapons and/or weapons-grade materials, verification by the IAEA could mean a 2 to 3 fold increase in the Safeguards budget because of the extended nuclear activities of these States. This will create its own problems amongst the Member States of the IAEA. Creating a new verification

organization may be even more costly. Another serious problem is the unavailability of adequately trained and experienced inspectors. This could create serious problems if the number of IAEA inspectors has to be doubled, say, in the short term.

35. Some of the problems may be addressed in the following ways:

(a) Budget costs : The FMT could have its own budget. The IAEA could then be contracted for its verification service. This would avoid the traditional problem of linkage between the Safeguards and Technical Cooperation budgets in the IAEA.

(b) The costs of verification : Given the large quantities of new material and number of additional facilities to be covered it is unavoidable that the costs of IAEA safeguards implementation will have to be fundamentally reviewed. This can be done through legal rights that the IAEA always had but never exercised; new rights acquired by the Agency in terms of the Aditional Protocol; and the use of new technological advances.

(c) Availability of inspectors : There is no short-term solution for this problem. A build-up of the required number of inspectors will have to be a combined effort between the IAEA and its Member States and could take several years.

36. The adoption of the Integrated Safeguards System under the umbrella of Strengthened Safeguards, already provides for the reduction of traditional safeguards verification activities under certain conditions. This should be even further developed in view of the possible additional burden of the FMT, the main focus being on the verification of nuclear materials which are of real proliferation concern.

CONCLUSIONS

37. It is accepted that the FMT would be a significant step in the process leading to nuclear disarmament.

38. A clear understanding should be reached on which "fissile materials" should be covered by the treaty.

39. In addition to a ban on the further production of nuclear materials for nuclear weapons, the FMT's other main function would be to act as a receptacle for excess weapons material and associated closed-down/decommissioned facilities, in transition from military explosive use to peaceful use, to ensure the irreversibility of the transition.

40. The IAEA has the potential to take-up the responsibility for verification of FMT undertakings but certain proliferation and resource constraints will have to be addressed.

41. Once the nuclear material of weapons origin has passed into the peaceful, safeguarded, domain (together with the associated facilities) this could overburden the existing IAEA safeguards verification regime and adjustments will have to be made to the traditional way in which, for example, safeguards are implemented - e.g. with regard to the treatment of all plutonium (weapons- and reactor-grade) as weapons-usable material.

42. Declarations of historical production could be seen as a political gesture of goodwill although the practical difficulties regarding completeness will need to be acknowledged.

43. The production of tritium in civil power reactors for use in nuclear explosive devices and the production of nuclear material for naval reactors will require special consideration in the FMT.

CONFERENCE ON DISARMAMENT

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SOUTH AFRICA

Working Paper

The Possible Scope and Requirements of the Fissile Material Treaty (FMT)

Addendum

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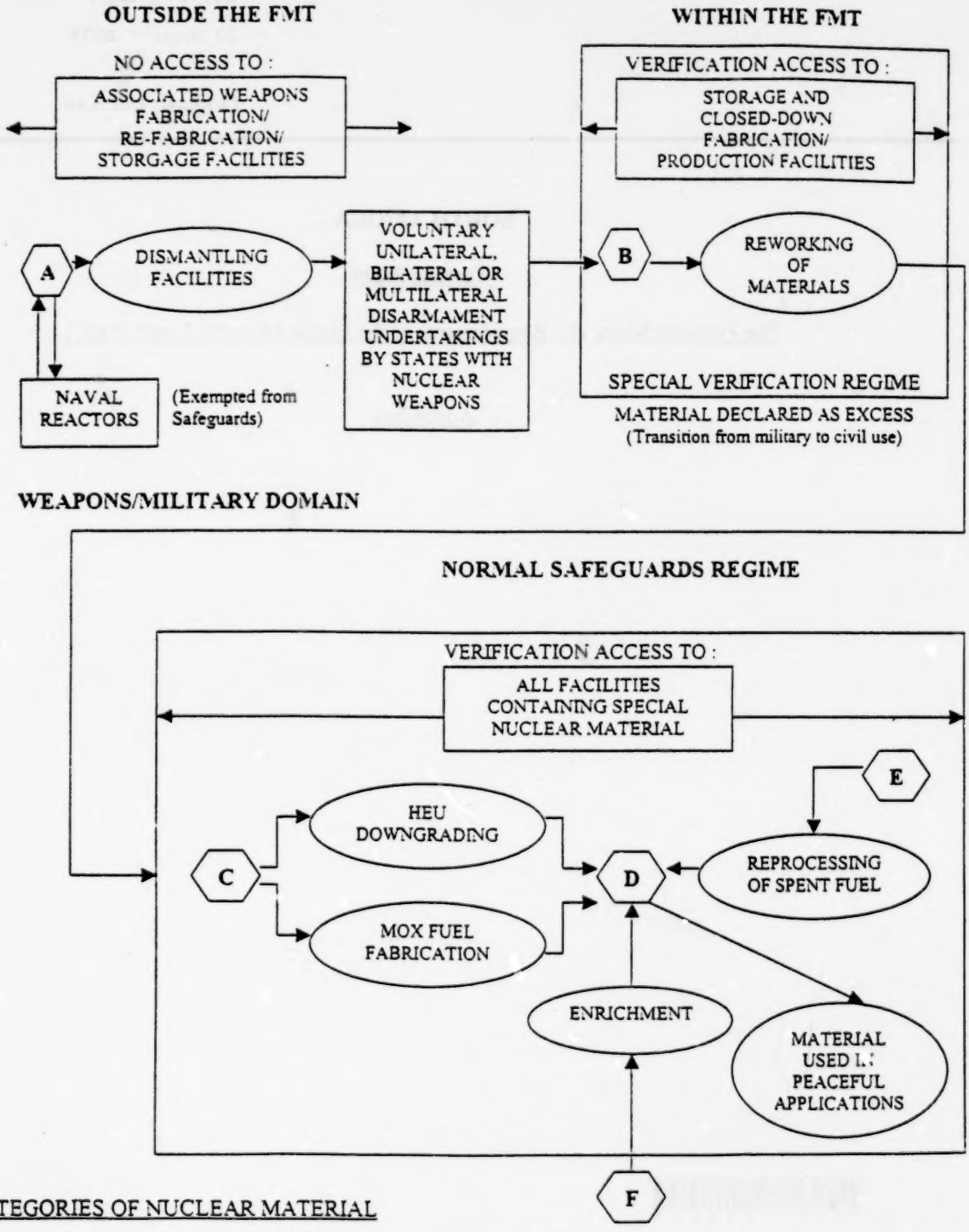

CATEGORIES OF NUCLEAR MATERIAL

A: Nuclear materials in weapons and associated with weapons programmes and for naval reactors
B: Nuclear materials from dismantled nuclear weapons and intended for peaceful uses but still in sensitive form (geometrical or composition)
C: Nuclear materials as in B but reworked into non-sensitive form
D: New nuclear material produced (from reprocessing of spent fuel under safeguards, from enrichment of source material or obtained from material declared as excess)
E: Nuclear material already under safeguards (spent fuel)
F: Source material

CONFERENCE ON DISARMAMENT

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LETTER DATED 23 MAY 2002 FROM THE PERMANENT REPRESENTATIVE OF CUBA ADDRESSED TO THE SECRETARY-GENERAL OF THE CONFERENCE ON DISARMAMENT TRANSMITTING THE TEXT OF THE STATEMENT BY MR. FIDEL CASTRO RUZ, FIRST SECRETARY OF THE CENTRAL COMMITTEE OF THE COMMUNIST PARTY OF CUBA AND PRESIDENT OF THE COUNCILS OF STATE AND OF MINISTERS OF THE REPUBLIC OF CUBA, IN RESPONSE TO STATEMENTS MADE ON 6 MAY 2002 BY MR. JOHN BOLTON UNDER-SECRETARY OF STATE OF THE UNITED STATES OF AMERICA

I have the honour to forward herewith the text of the statement made on 10 May 2002 by Fidel Castro Ruz, First Secretary of the Central Committee of the Communist Party of Cuba and President of the Councils of State and of Ministers of the Republic of Cuba, in response to statements made on 6 May 2002 by John Bolton, Under-Secretary of State of the United States of America.

I should be grateful if you could arrange to have the enclosed text circulated as an official document of the Conference on Disarmament.

(Signed): Iván Mora Godoy
Ambassador
Permanent Representative

GE.02-61653 (E) 060602 100602

"There will always be weapons more powerful than those obtained through technology: the weapons of morality, reason and ideas"

Response by Commander-in-Chief Fidel Castro Ruz, First-Secretary of the Central Committee of the Communist Party of Cuba and President of the Councils of State and of Ministers, to statements made by the United States Government concerning biological weapons on 10 May 2002,
"Year of the Heroic Prisoners of the Imperialists"

A mere three days ago, Otto Reich, Assistant Secretary of State, a person only too well known to us, was unmasked in an embarrassing lie when he said that four Cuban planes had landed in the Venezuelan capital on 12 April and: "What they were doing there, what they were carrying, we don't know." This was, it transpires, the beginning of an anti-Cuban campaign or an act of vengeance for the extraordinary debacle of the fascist coup which he had orchestrated, or both.

When challenged publicly by the Cuban Ministry of Foreign Affairs on Tuesday, 7 May, the State Department said that it had no firm information, and did not wish to discuss the matter any further.

The idea of destroying Cuba, an obsession which has lasted more than 43 years, has led and continues to lead United States policy down a tortuous path of lies, fiascos and blunders. The discrepancy between what the United States Government is telling the world today and what it is actually doing with Cuba represents the most egregious and demoralizing contradiction of its foreign policy. Never before has this super-Power found itself in such a compromising situation, which has left it no choice but to lie, lie and lie again. There is no shortage of unscrupulous characters in high public office prepared to do this, or of press spokesmen painfully contorting themselves to disavow the wrongdoings of their superiors and to explain the inexplicable in their statements.

Even a man like Colin Powell, the son of Jamaican immigrants, who, notwithstanding his military training - or perhaps because of it - is not considered to be a warmonger since he knows war and has seen men die, a man whom many Americans have come to look on as a potential presidential candidate, has found himself embroiled by these characters in squalid machinations that do him little credit. He better than anyone else knows how inexperienced they are and can see what little political and intellectual worth they have.

As for this new character who has entered the scene with his sinister manoeuvres against Cuba, whom is he hoping to deceive? We refer to John Bolton, Under-Secretary of State, responsible for nothing less than arms control. What exactly is this official hoping to achieve with his inflammatory and aggressive speech against Cuba given at the Heritage Foundation, well known for its ultra-right stance?

These statements, purportedly an analysis of the dangers of terrorism threatening the United States, began by saying: "In addition to Libya and Syria, there is a threat coming from another signatory to the Biological Weapons Convention, and one that lies just 90 miles from the United States mainland - namely, Cuba."

Then, after the usual name-calling and absurd allegations filled with loathing that are so typical of arrogant and uninformed people, Mr Bolton added, this time off his own bat:

> "We know that Cuba is collaborating with other State sponsors of terror.
>
> "Castro has repeatedly denounced the United States' war on terrorism. He continues to view terror as a legitimate tactic to further revolutionary objectives. Last year, Castro visited Iran, Syria and Libya - all designees on the same list of terrorist-sponsoring States. At Tehran University, these were his words: 'Iran and Cuba, in cooperation with each other, can bring America to its knees. The United States regime is very weak, and we are witnessing this weakness from close up.'
>
> "But Cuba's threat to our security often has been underplayed. An official United States Government report in 1999 concluded that Cuba did not represent a significant military threat to the United States or the region. It went only so far as to say that 'Cuba has a limited capacity to engage in some military and intelligence activities which could pose a danger to United States citizens under some circumstances.'"

Mr. Bolton then immediately started casting about for some explanation for the suspicious fact that no United States Government official had ever before thought to level such a deplorable accusation against Cuba. Bolton blames this weakness on William Cohen, who was United States Defence Secretary four years earlier when the much criticized report was issued. Bolton omitted to mention the fact that, a mere five months and two weeks before, on 19 November 2001, he himself had not made the slightest reference to Cuba in his address to the Fifth Review Conference of the Parties to the Biological Weapons Convention in Geneva, when he cited many countries that were of concern to him as potential producers of biological weapons. So why this sudden and unexpected change?

Mr. Bolton's scurrilous remarks of 6 May conclude with the allegation: "For four decades Cuba has maintained a well developed and sophisticated biomedical industry, supported until 1990 by the Soviet Union. This industry is one of the most advanced in Latin America and leads in the production of pharmaceuticals and vaccines that are sold worldwide. Analysts and Cuban defectors have long cast suspicion on the activities conducted in these biomedical facilities.

> "Here is what we now know: The United States believes that Cuba has at least a limited offensive biological warfare research-and-development effort. Cuba has provided dual-use biotechnology to other rogue States. We are concerned that such technology could support biological weapons programmes in those States. We call on Cuba to cease all biological weapons-applicable cooperation with rogue States and to comply fully with all of its obligations under the Biological Weapons Convention."

Just as he had hoped, Mr. Bolton's string of barefaced lies was immediately picked up by the international press.

> "**Washington, 6 May (ANSA).** Under-Secretary of State John Bolton today accused Cuba of helping 'enemy Governments' with biological weapons programmes.

"'Cuba has at least an offensive biological weapons programme and could be transferring its results to other States hostile to the United States', said Bolton.

"Under-Secretary Bolton was speaking to the Heritage Foundation, one of the ultra-conservative groups in Washington."

"**Washington, 6 May (DPA).** The United States today accused Cuba of developing offensive biological weapons and of providing information about these weapons to States hostile to the United States, and urged President Fidel Castro's Government to cease this cooperation."

"**Washington, 6 May (Reuters).** On Monday, the United States accused three countries - Cuba, Libya and Syria - of trying to develop weapons of mass destruction and warned that it would take steps to prevent them from providing these arms to terrorist groups.

"'States that sponsor terrorism and seek to obtain weapons of mass destruction must cease these activities', he said. 'States that renounce terror and abandon weapons of mass destruction can become part of our effort. But those which do not can expect to become our targets.'"

"**Washington, 6 May (EFE).** The United States today added Cuba, Libya and Syria to the list of countries which form the 'axis of evil' intent on manufacturing weapons of mass destruction, and warned that it would take steps to prevent them from supplying such weapons to terrorist organizations."

"**Washington, 6 May (Notimex).** The United States today included Cuba on the so-called 'axis of evil', because it believed that it has the capacity to develop biological weapons which would pose a threat to its security, greater than that posed by Iraq, Iran and North Korea."

"**Washington, 6 May (AFP).** On Monday, the United States warned Cuba against any proliferation of biological weapons, urging the island's Government to cease any supplies of biotechnological equipment to countries that Washington considers potentially dangerous, such as Iraq and Libya."

The list of such articles and reports on this issue could be continued indefinitely.

So, the deed has already been done! The whole world, and in particular the American public, which is constantly bombarded with shameless lies, has been fed the necessary information and is now ready to believe that Cuba is a biological power, that it has a programme for the production of such weapons and that it poses a danger to the United States. And, as this has been stated by Mr. John Bolton, the very distinguished Under-Secretary of State for Arms Control and International Security, we have to believe it.

Tired old tricks and stupid arguments

As the old saying goes, it is easier to catch a liar than a lame man. Some people in the United States itself find all this simply too hard to believe and are beginning to read between the lines.

"**Washington, 7 May (Notimex).** The United States today refused to produce the evidence it claimed to have to back up accusations it had made against Cuba to the effect that the island had a limited capacity to develop chemical and biological weapons.

"The spokesmen of both the White House and the State Department maintained that the accusation against Cuba was not based on assumptions but on confidential information about the biological and chemical potential of the Cuban pharmaceutical industry.

"This accusation came as a surprise not only to the international community, but even to members of the United States Congress.

According to the same dispatch, "Political analysts pointed out that the accusation against Cuba by the Bush administration could form part of a White House strategy to justify moves to tighten its isolationist policy on Cuba.

"The statement that Cuba could pose a terrorist threat to United States security was made at a time when several proposals to relax Washington's Cuba policy were being studied on Capitol Hill.

"Political analysts believe, however, that, given this possibility, and bearing in mind that his brother Jeb will be seeking re-election as Governor of Florida this year, President Bush is hoping to ingratiate himself with the Cuban exile community.

"Given that more than four decades of economic blockade against Cuba have not succeeded in removing Fidel Castro from power in Havana, the only people who want this isolationist policy to remain in effect and to be tightened are the great majority of the Cuban exile community in the United States.

"The possibility of including Cuba as a member of the so-called 'axis of evil', with Iraq, Iran and North Korea at its head, would make it easier for Bush to obtain Congress backing for moves to increase - rather than decrease - the economic stranglehold which it has on the island."

"**Washington, 7 May (AP).** 'I think that it will hold up the adoption of any new steps towards an opening up of trade,' said Bob Graham, chairman of the Senate Select Committee on Intelligence. 'Unilateral steps will be most affected.'

"Graham did not hide his amazement at Bolton's accusation, however. He said that, in March, the Committee he chairs had held a secret hearing on security-related issues and that the administration had made no mention of biological weapons."

On 7 May, when a journalist asked White House spokesman Ari Fleischer: "Is there any proof of this or is this an assumption by the United States?" Fleischer replied: "No, it's not an assumption. I assure you that Secretary Bolton would not have said it if he did not have good cause, reasons and facts to base it on. It was based on sound analysis and on information available to the United States Government, which it has studied."

This is a typical reply by someone who has no grounds or substance for what he says. The only things being carefully studied are falsehoods and deceitful ploys. One pities this spokesman for the job he has to do. Besides, why should we believe Mr. Bolton anyway? Anyone who remembers the 15 incredible pretexts, which have come to light today in declassified official documents, that were devised at the end of 1961 by the powers that be in the United States with the aim of launching a direct military attack against Cuba in 1962, would find nothing surprising in this sinister fabrication. But we demand proof. Let them produce even the smallest shred of evidence! They do not have any and they cannot have any since there is not and cannot be any such evidence. As there is not so much as an atom of truth in what they say, they should not now try and hide behind the alleged sensitivity of their sources. This is a worn out old trick and an extremely stupid argument, which only serves to show in what very low esteem they hold the American public, whose intelligence deserves greater respect.

I will also say this: If Cuban scientists from any of our biotechnology institutes had been cooperating with any country in the development of biological weapons, or had tried to create such weapons on their own initiative they would immediately be hauled before a court of justice on a charge of treason.

The Acts of Terrorism Act passed by the National Assembly of Cuba stipulates, in its article 10: "Anyone who manufactures, facilitates, sells, transports, transfers, introduces into the country or keeps in his or her possession, under any form or in any place [...] chemical or biological agents, or any other substance from which any product that fits this description can be derived through research, design or a combination thereof" shall be liable to penalties of between 10 and 30 years privation of liberty, life imprisonment or death.

This is, without question, a total fabrication, a treacherous blow against the sale of food to Cuba authorized by a law passed in 2000, which has subsequently undergone countless modifications and amendments, introduced by those bitterly opposed to any lifting of the blockade, rendering it virtually unworkable, even when - despite everything - it was finally passed. Efforts are also being made to mislead and discourage the growing number of Americans who are increasingly repelled by the cruel and inhuman measures taken against the Cuban people, which fly in the face of the idealism and ethics of a nation which, for years and years, has been fed nothing but lies about Cuba.

The only truth in Bolton's falsehoods was the geographical fact that Cuba lies 90 miles from the continental territory of the United States.

Slanderous invention, born of falsehood and deception

It is false and a total distortion to assert that our country has repeatedly denounced the United States' war against terrorism. I have said, and I stand by it, that the solution to this scourge will not be attained through war, which will serve only to breed hatred and fanaticism, but through sincere and determined cooperation among all countries in the world and by building a truly universal culture and mindset against terrorism. We were the first to suggest this form of cooperation, the very day of the tragedy in New York.

It was a slanderous invention, born of falsehood and deception, to assert that Castro considers terrorism a legitimate tactic for furthering revolutionary objectives, since, as everyone knows, our revolutionary movement never practised any methods which were not consistent with our doctrine, our principles and our perception of armed struggle. You should get your facts straight, Mr. Bolton, and you should not be misled by the fictions narrated by your good friends in the Foundation. The civilian population and innocent people have never been the victims of our actions. Our tactic was always to fight against fully equipped enemy units. These days you seem to want to label as terrorism any armed resistance, regardless of the legitimate causes that may justify it. Applying this logic, you would be quite capable of describing as terrorism the struggle of the American colonists who rebelled and fought against English domination. George Washington and those who, after long years of war and enormous sacrifices, finally secured the independence of the United States were not terrorists.

Your people led you astray, Mr. Bolton, when they told you about my address at the University of Tehran. It was not one address, but two, in two universities, and a few remarks which I made at the end of my visit to the mausoleum in which the body of the late Imam Khomeini lies. I have gone over them all in detail. In my address to the students in Tehran, there does not seem to be a single paragraph resembling that mendaciously cited in your statement on 6 May to the Heritage Foundation. At no point did I say that "Iran and Cuba, in cooperation with each other, can bring America to its knees". I did say, in one of the three statements I made during the visit, that imperialism was bereft of ideas, that ideas were more powerful than weapons and that one day imperialism would collapse. I also said that the Shah "was overthrown by the Iranian people through their heroism, and without weapons, which demonstrated the power of ideas and showed that there could never be any person in the world so powerful that he could not be brought down by ideas. This is our hope". And, at the end, I added: "there is one super-Power which has thousands of nuclear weapons, aircraft, battleships, aircraft carriers, smart missiles [...]. However many weapons it may possess and however great its wealth, it will never be able to defeat the human spirit".

I did not make the slightest allusion to the use of weapons in this struggle. Indeed, I said just the opposite. That is what I think, that is how I saw it then and that is what I said. I am not in the habit of hiding my thoughts or twisting my words. My three statements in the Iranian capital were broadcast on Cuban radio and television. Thus, Mr. Bolton did not uncover anything, nor do I renounce any of my ideas. I said some other things about political beliefs and principles. I have all the tapes and the transcripts of those statements and I can prove what I said.

I should also point out that, when I visited Iran, I had the honour of discovering a country with a culture thousands of years old, with deep religious convictions and great spiritual strength; a country anxious to eradicate poverty, to fight against drug trafficking and other such plagues, a country determined to bring education, health, employment and well-being to more than 65 million people. Not one of the many leaders with whom I talked said anything to me about biological weapons or weapons of any other kind. I was able to see what an immense difference there is between the culture and customs of that country and those of the West. Iran was not the only country I visited: I went also to Algeria, Malaysia, Qatar, Syria and, finally, Libya, where I was shown how Qadaffi's family home had been destroyed and I heard about the loss of human life - including that of a little girl - inflicted by the brutal F-16 air raid.

Those parts of the world which I visited possess a wealth of history thousands of years old, which must not be destroyed and neither must their populations be annihilated. Thousands of millions of people throughout the world have watched with profound indignation the televised images of the horrendous events in Palestine.

When he referred to my statement in Iran, Mr. Bolton irresponsibly and dishonestly mixed up excerpts of what I had said with bits and pieces of statements made by other people and reported by foreign press agencies and information from other sources picked up from wire-service cables or material simply concocted by himself. He made such a dog's breakfast of all this material that he himself can no longer make head or tail of it. My clear, precise and transparent statements can be found in the speeches I have mentioned and in the press communiqué of 10 May 2001 issued by both delegations, which, in paragraph 6 of the agreed document, sets out the Cuban position against terrorism, which states, and I quote: "While condemning the phenomenon of terrorism in all its forms, especially State terrorism, the two parties agreed to cooperate closely at bilateral and international levels to fight against and eliminate this terrible phenomenon, to cooperate in efforts to combat international organized crime and drug trafficking, being always mindful of the cardinal principles of international law, and in particular those of sovereignty and non-interference in the internal affairs of States."

This statement was issued 127 days before 11 September.

I must thank Mr. Bolton for the praise which he heaps on our pharmaceutical industry: "one of the most advanced in Latin America [, which] leads in the production of pharmaceuticals and vaccines that are sold worldwide," as he said in his own words. If only it were more advanced. Even his country could benefit from some of its attainments, but they would not permit it. He lies shamelessly, however, when he tells the American public and the world at large that the United States believes that Cuba is engaged in at least a limited offensive biological warfare research-and-development effort. This statement is as false as it is serious.

Our researchers and doctors are educated in such a way as to instil in them a strong sense of solidarity and ethics. Millions of people in the world can testify to this. They work for the well-being and health of humankind. Over the last 40 years, 34,307 Cuban doctors and health workers have provided their services, free of charge, in a large number of poor countries, saving lives and safeguarding the health of millions of people. No one in the world could surpass them in their dedication and willingness to make sacrifices. At this very time, 2,671 of them are working in isolated and inhospitable areas of Latin America, the Caribbean and Africa. It would

be very difficult to persuade these men and women to manufacture viruses and bacteria to kill children, women, old people or the citizens of any country. The pride and high moral standards of our people, which have enabled them to withstand 43 years of attacks and blockade, rest on the sound basis of a policy which is entirely consistent with all their ethics and principles.

In all, some 39,800 young people from more than 120 Third-World countries have graduated in Cuba in 33 specialized academic and technical fields. Even under the prevailing conditions during this special period, induced by the cruel economic blockade, there are 8,053 young people from Latin America, the Caribbean and Africa following medical degree courses in our country - receiving training which, in the United States, costs more than $200,000, without paying a single cent.

Despite the lying allegations of Bolton and many others of his ilk, Cuba enjoys great recognition for the health services which it has rendered to humankind. These constitute a true fight against another form of terror, which many choose to ignore: the diseases which every year kill more than 11 million children, whose lives could be saved were it not for the selfish attitude of the industrialized world. An incalculable number of people survive or recover their health thanks to the selfless efforts of doctors from a small and poor country, who treat them with vaccines and preventive methods or therapies developed by Cuba. We would like to know if the United States Government is doing something similar or if it would be prepared to cooperate in such programmes for the benefit of what it euphemistically terms the "emerging countries", since we have not excluded any economically developed country from participating in these programmes.

We have offered hundreds of scholarships at the Latin American School of Medical Sciences to American youngsters who lack the funds to study medicine in their own country.

Cuban children are vaccinated against 13 diseases and enjoy splendid health. The infant mortality rate per 1,000 live births is lower than that of the United States. Medical care is guaranteed to 100 per cent of the population and is provided absolutely free of charge. The sorry situation in the United States, with its more than 280 million inhabitants, where 16 per cent of the population, including more than 10 million children, have no medical insurance, is quite unknown in Cuba. In such an immensely rich and scientifically advanced country, where hundreds of thousands of citizens die every year for these reasons, who is held to blame? Who kills these people and who denounces these deplorable facts? How can they concoct such lies? With what moral right dare they affirm from over there that we, in Cuba, are developing biological warfare? Who is going to believe their monstrous slanders? On the other hand, never over the 43 years of its history since the revolution has anyone in our country launched or taken part in any terrorist act mounted from our territory against the United States. Not a single drop of United States blood has been shed, nor has any company lost so much as a simple screw as a result of any terrorist act hatched in Cuba. This cannot be said about Cuba by those in the United States who accuse our country of terrorism, or of supporting or sponsoring terrorism. Thousands of our compatriots have died and tens of thousands of acts of sabotage have been recorded as part of terrorist activities and aggression mounted from the United States against Cuba. How can their spokesmen deny these glaring facts? I am not referring here to the American public: I am referring to their Governments. Not the slightest attempt has been made to clarify the overriding question of the powers granted to United States Government officials to

conduct extrajudicial executions and to kill people anywhere in the world. I myself have often been the target of their sinister plans. That was how they operated in the past. Have they or have they not now reverted to those repugnant methods? Why does Mr. Bolton not tell us something about that instead?

Cuba's irreproachable policy on weapons of mass destruction

Where weapons of mass destruction are concerned, Cuba's policies have been irreproachable. No one has ever produced a single shred of evidence that our country has embarked on a programme to develop nuclear, chemical or biological weapons. Even people who have no comprehension of the ethics, the attachment to the truth and the transparency which informs the conduct of a Government like that of Cuba will be able to understand at least that for Cuba to have acted in any other way would have been an act of immense stupidity. Any such programme would ruin the economy of a small country: Cuba would never have been able to transport such weapons and it would have been a further mistake to have used them in combat against an enemy which had thousands more such weapons and would have been only too delighted for an excuse to use them.

From the political standpoint, we are living in an age that will bring weapons far more powerful than any that technology can produce: namely, the weapons of morality, reason and ideas. Without these, no country is powerful; with them, no country is weak. To adhere to this maxim, any country needs to be extremely motivated, clear-headed and perspicacious. Let it be known that the Cuban people revere above all other things on earth the ideals that inspire freedom, dignity, love of their country, their identity and their culture, and the strictest possible adherence to justice. These are not weapons of mass destruction: they are weapons of mass moral defence and we are willing to fight and die for them.

I understand that, for a man like Bolton, intoxicated with the military, economic and technological might of the super-Power on whose behalf he speaks, it might be difficult to understand these things. It would, however, be a good thing for him to try.

Cuba has absolutely nothing to hide. On the contrary, it is proud of its progress in the field of biomedical research.

Let us briefly review its history:

- 1979: The Genetic Engineering Group was set up in the National Centre for Scientific Research;

- 1981: The first biotechnological scientific production institution designed for the manufacture of the Leukocyte Interferon was set up;

- The pharmaceutical and biotechnological industry programme came into being as a result of the country's scientific, economic and social development;

- The necessary standards were set in place for inspection and certification by international agencies and the regulatory bodies of those countries with which Cuba was to have trade relations;

- The period between 1990 and 1997 saw the development of the bulk of the investment programme, comprising 40 separate facilities;

- An exclusively humanitarian industry is being developed, dedicated to the development and manufacture of medicines designed to prevent illnesses and to save lives, as well as to food production;

- Technology and equipment used everywhere in the world is being purchased from commercial companies with international standing;

- Under agreements entered into by Cuba with the Biological Weapons Convention, Cuba's biotechnology, health system and civil defence sectors submit annual reports to the United Nations on confidence-building measures;

- Regulatory bodies from many different countries have visited Cuban biotechnology production facilities as a prerequisite for the marketing of our products in their countries;

- Over the next few years, more than 50 new products, including biopharmaceuticals, vaccines and diagnostic kits, will come onto the market;

- Cuba already possesses a wealth of intellectual property, comprising more than 150 inventions and over 500 patents registered abroad. The results of Cuban scientific research are published in leading international journals;

- 1990: First exports of Cuban products, which have increased every year since;

- 1992: Cuba signed the Convention on Biological Diversity and ratified it in 1994;

- 1995: Landmark forms of marketing are introduced: technology transfers, risk contracts for development projects with foreign companies, manufacturing and trading partnerships;

- Today, products and technology of the Cuban biotechnology industry are to be found in more than 40 countries.

Technology transfer agreements or negotiations have been concluded or are under way with 14 countries:

India: 4 transfers, 4 products;

China: 2 transfers, 4 products;

Brazil: 2 transfers, 2 products;

Egypt: 4 transfers, 1 product under negotiation;

Malaysia: 6 transfers;

Iran: 4 transfers, 4 products;

Russia: 1 transfer, 1 product;

South Africa: 1 transfer, 1 product;

Tunisia: 1 transfer, 1 product;

Algeria: 1 transfer, 3 products;

United Kingdom - Belgium: 1 transfer, 1 product;

Venezuela: 1 transfer, 2 products under negotiation;

Mexico: 1 transfer, 1 product.

New trade and production negotiations are under way with 10 countries: Malaysia, Netherlands, Spain, Brazil, Venezuela, Viet Nam, Mexico, Ukraine, Germany and the United States (negotiations are under way with the United States on the use of the Cuban anti-meningitis vaccine and the first steps have been made towards possible clinical trials with the EGF vaccine for lung cancer).

Cuba's biotechnology centres have already registered:

24 products, including both biopharmaceuticals and vaccines;

49 state-of-the-art generic medicines;

5 products for treating AIDS;

15 new types of medical equipment;

24 diagnostic systems.

In addition to these achievements, scientists and researchers are continuing work on 60 more projects, prominent among which are the following:

29 new vaccines, including 8 cancer vaccines, 4 of which are already undergoing clinical trials, not only in Cuba but also in Canada, Argentina and the United Kingdom;

21 innovative products for treating cancer, which supplement the 28 cytostatic drugs that have already been identified and which a new plant will soon begin manufacturing.

Cuba's biotechnology centres have applied for patents for 150 inventions, which will bring the total of such patents to 505. Four of these have been awarded medals by the World Intellectual Property Organization (WIPO).

Countless prominent politicians, scientists and industrialists have visited Cuba's biotechnology institutions. One of its main centres alone played host in 2000 to 1,520 visitors, 484 of whom came from the United States.

The doors of our research centres are open to any international institution.

In an official, public letter, Cuba has written to the Government of the United States to propose three major draft agreements, which are of greater benefit to the United States than to Cuba itself, given the very different magnitude of the problems in each of the two countries. The first is a draft agreement on immigration issues; the second, a draft agreement on cooperation in controlling the illicit traffic in narcotic drugs and psychotropic substances; and the third, a draft bilateral cooperation programme to combat terrorism. We have not received any reply. Does this mean that we are being accused of manufacturing biological weapons? Whom do they hope to intimidate in this way?

We are urged to cease any biological weapons-related cooperation with "rogue" States and to comply with all our obligations under the Biological Weapons Convention. Which is the international organization that decides whether or not a country is a "rogue" State? Precisely which rule of the Biological Weapons Convention has Cuba violated? Is it that, on top of the criminal blockade, they would now ban us from marketing our medicines and using the most beneficial, the most noble products of the talents and hard work of our scientists, they would prevent us from placing these at the service of the health of people anywhere in the world? Or could it be that the United States Government is seeking another bilateral agreement, in addition to those proposed by Cuba, namely, on cooperation in efforts to combat the production of biological weapons? Please propose it. We would be happy to include it in our list of projects under consideration.

We are sorry, Mr. Bolton. After the lies, slander, fabrications and insults promulgated in your statement on 6 May, we regret to have to tell you that you have no moral ground to harangue Cuba on this subject, still less to do so in a threatening tone and language. Nor can you presume to give Cuba any lessons in politics and ethics. In any event, you and your Government should draw inspiration from Cuba's decent and honourable behaviour. I can assure you that, for this technology transfer, we shall be making no charge.

CONFERENCE ON DISARMAMENT

CD/1673
7 June 2002

Original: ENGLISH

LETTER DATED 24 MAY 2002 FROM THE PERMANENT REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE CONFERENCE ON DISARMAMENT ADDRESSED TO THE SECRETARY-GENERAL OF THE CONFERENCE TRANSMITTING THE TEXT OF PRESIDENT BUSH'S MESSAGE TO THE SENATE OF THE UNITED STATES ON 9 MAY 2002 REQUESTING THE ADVICE AND CONSENT OF THE SENATE TO RATIFICATION OF THE U.S.-IAEA ADDITIONAL PROTOCOL

Attached is the text of President Bush's message to the Senate of the United States on May 9, 2002 requesting the advice and consent of the Senate to ratification of the U.S.-IAEA Additional Protocol.

The Administration hopes for expeditious Senate approval of the agreement so that it can quickly enter into force. The IAEA plays a valuable role in the fight against nuclear proliferation, and the President's transmission of this agreement to the Senate reinforces longstanding U.S. support for the IAEA.

The United States urges all states that have not yet done so to negotiate with the IAEA and bring into force the safeguards agreements required by the NPT as well as Additional Protocols.

I would be grateful if you would issue this text as an official document of the Conference on Disarmament and distribute it to all member states and non-member participant states of the CD.

(Signed:) Eric M. Javits
Ambassador
Permanent Representative
of the United States to the
Conference on Disarmament

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ENG

Message to the Senate of the United States

Begin Text:

TO THE SENATE OF THE UNITED STATES:

I submit herewith, for Senate advice and consent to ratification, the Protocol Additional to the Agreement Between the United States of America and the International Atomic Energy Agency for the Application of Safeguards in the United States of America, with annexes, signed at Vienna June 12, 1998 (the "Additional Protocol"). Adhering to the Additional Protocol will bolster U.S. efforts to strengthen nuclear safeguards and promote the nonproliferation of nuclear weapons, which is a cornerstone of U.S. foreign and national security policy.

At the end of the Persian Gulf War, the world learned the extent of Iraq's clandestine pursuit of an advanced program to develop nuclear weapons. In order to increase the capability of the International Atomic Energy Agency (the "Agency") to detect such programs, the international community negotiated a Model Additional Protocol (the "Model Protocol") to strengthen the Agency's nuclear safeguards system. The Model Protocol is to be used to amend the existing bilateral safeguards agreements of states with the Agency.

The Model Protocol is a milestone in U.S. efforts to strengthen the safeguards system of the Agency and thereby to reduce the threat posed by clandestine efforts to develop a nuclear weapon capability. By accepting the Model Protocol, states assume new obligations that will provide far greater transparency for their nuclear activities. Specifically, the Model Protocol strengthens safeguards by requiring states to provide broader declarations to the Agency about their nuclear programs and nuclear-related activities and by expanding the access rights of the Agency.

The United States signed the Additional Protocol at Vienna on June 12, 1998. The Additional Protocol is a bilateral treaty that would supplement and amend the Agency verification arrangements under the existing Agreement Between the United States of America and the International Atomic Energy Agency for the Application of Safeguards in the United States of America of November 18, 1977 (the "Voluntary Offer"), which entered into force on December 9, 1980. The Additional Protocol will enter into force when the United States notifies the Agency that the statutory and constitutional requirements for entry into force have been met.

The Treaty on the Non-Proliferation of Nuclear Weapons (the "NPT") requires non-nuclear-weapon states parties to accept Agency safeguards on their nuclear activities. The United States, as a nuclear-weapon state party to the NPT, is not obligated to accept Agency safeguards on its nuclear activities. Nonetheless, it has been the announced policy of the United States since 1967 to permit the application of Agency safeguards to its nuclear facilities—excluding only those of direct national security significance. The Additional Protocol similarly allows the United States to exclude its application in instances where the United States decides that its application would result in access by the Agency to activities with direct national security significance to the United States or access to locations or information associated with such activities. I am,

therefore, confident that the Additional Protocol, given our right to invoke the national security exclusion and to manage access in accordance with established principles for implementing these provisions, can be implemented in a fashion that is fully consistent with U.S. national security.

By submitting itself to the same safeguards on all of its civil nuclear activities that non-nuclear-weapon states parties to the NPT are subject to, the United States intends to demonstrate that adherence to the Model Protocol does not place other countries at a commercial disadvantage. The U.S. signature of the Additional Protocol was an important factor in the decisions of many non-nuclear-weapon states to accept the Model Protocol and provided significant impetus toward their early acceptance. I am satisfied that the provisions of the Additional Protocol, given our right to manage access in accordance with Article 7 and established implementation principles, will allow the United States to prevent the dissemination of proliferation-sensitive information and protect proprietary or commercially-sensitive information.

I also transmit, for the information of the Senate, the report of the Department of State concerning the Additional Protocol, including an article-by-article analysis, a subsidiary arrangement, and a letter the United States has sent to the Agency concerning the Additional Protocol. Additionally, the recommended legislation necessary to implement the Additional Protocol will be submitted separately to the Congress.

I believe that the Additional Protocol is in the best interests of the United States. Our acceptance of this agreement will sustain our longstanding record of voluntary acceptance of nuclear safeguards and greatly strengthen our ability to promote universal adoption of the Model Protocol, a central goal of my nuclear nonproliferation policy. Widespread acceptance of the Protocol will contribute significantly to our nonproliferation objectives as well as strengthen U.S., allied and international security. I, therefore, urge the Senate to give early and favorable consideration to the Additional Protocol, and to give advice and consent to its ratification.

GEORGE W. BUSH
THE WHITE HOUSE,
May 9, 2002.

CONFERENCE ON DISARMAMENT

CD/1674
7 June 2002

ENGLISH
Original: ENGLISH and RUSSIAN

LETTER DATED 31 MAY 2002 FROM THE PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION AND THE PERMANENT REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE CONFERENCE ON DISARMAMENT ADDRESSED TO THE SECRETARY-GENERAL OF THE CONFERENCE TRANSMITTING THE ENGLISH AND RUSSIAN TEXTS OF THE TREATY BETWEEN THE UNITED STATES OF AMERICA AND THE RUSSIAN FEDERATION ON STRATEGIC OFFENSIVE REDUCTIONS AND THE JOINT DECLARATION BY PRESIDENT GEORGE W. BUSH AND PRESIDENT VLADIMIR V. PUTIN ON THE NEW STRATEGIC RELATIONSHIP BETWEEN THE UNITED STATES OF AMERICA AND THE RUSSIAN FEDERATION SIGNED ON 24 MAY 2002 IN MOSCOW

We have the honour to forward to you the English and Russian texts of the Treaty Between the United States of America and the Russian Federation on Strategic Offensive Reductions and the Joint Declaration by President George W. Bush and President Vladimir V. Putin on the New Strategic Relationship Between the United States of America and the Russian Federation signed on May 24, 2002 in Moscow.

We would be grateful if you issue this Treaty and Declaration as official documents of the Conference on Disarmament and distribute them to all member States and non-member participants of the CD.

(Signed:) Eric JAVITS
Ambassador
Permanent Representative
of the United States of America
to the Conference on Disarmament

Leonid SKOTNIKOV
Ambassador
Permanent Representative of the
Russian Federation to the
Conference on Disarmament

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Text of the Treaty
Between the United States of America and the Russian Federation on Strategic Offensive Reductions

The United States of America and the Russian Federation, hereinafter referred to as the Parties,

Embarking upon the path of new relations for a new century and committed to the goal of strengthening their relationship through cooperation and friendship,

Believing that new global challenges and threats require the building of a qualitatively new foundation for strategic relations between the Parties,

Desiring to establish a genuine partnership based on the principles of mutual security, cooperation, trust, openness, and predictability,

Committed to implementing significant reductions in strategic offensive arms,

Proceeding from the Joint Statements by the President of the United States of America and the President of the Russian Federation on Strategic Issues of July 22, 2001 in Genoa and on a New Relationship between the United States and Russia of November 13, 2001 in Washington,

Mindful of their obligations under the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Reduction and Limitation of Strategic Offensive Arms of July 31, 1991, hereinafter referred to as the START Treaty,

Mindful of their obligations under Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons of July 1, 1968, and

Convinced that this Treaty will help to establish more favorable conditions for actively promoting security and cooperation, and enhancing international stability,

Have agreed as follows:

Article I

Each Party shall reduce and limit strategic nuclear warheads, as stated by the President of the United States of America on November 13, 2001 and as stated by the President of the Russian Federation on November 13, 2001 and December 13, 2001 respectively, so that by December 31, 2012 the aggregate number of such warheads does not exceed 1700-2200 for each Party. Each Party shall determine for itself the composition and structure of its strategic offensive arms, based on the established aggregate limit for the number of such warheads.

Article II

The Parties agree that the START Treaty remains in force in accordance with its terms.

Article III

For purposes of implementing this Treaty, the Parties shall hold meetings at least twice a year of a Bilateral Implementation Commission.

Article IV

1. This Treaty shall be subject to ratification in accordance with the constitutional procedures of each Party. This Treaty shall enter into force on the date of the exchange of instruments of ratification.

2. This Treaty shall remain in force until December 31, 2012 and may be extended by agreement of the Parties or superseded earlier by a subsequent agreement.

3. Each Party, in exercising its national sovereignty, may withdraw from this Treaty upon three months written notice to the other Party.

Article V

This Treaty shall be registered pursuant to Article 102 of the Charter of the United Nations. Done at Moscow on May 24, 2002, in two copies, each in the English and Russian languages, both texts being equally authentic.

FOR THE UNITED STATES OF AMERICA:

FOR THE RUSSIAN FEDERATION:

Text of the Joint Declaration by President George W. Bush and President Vladimir V. Putin on the New Strategic Relationship Between the United States of America and the Russian Federation

The United States of America and the Russian Federation,

Recalling the accomplishments at the Ljubljana, Genoa, Shanghai, and Washington/Crawford Summits and the new spirit of cooperation already achieved;

Building on the November 13, 2001 Joint Statement on a New Relationship Between the United States and Russia, having embarked upon the path of new relations for the twenty-first century, and committed to developing a relationship based on friendship, cooperation, common values, trust, openness, and predictability;

Reaffirming our belief that new global challenges and threats require a qualitatively new foundation for our relationship;

Determined to work together, with other nations and with international organizations, to respond to these new challenges and threats, and thus contribute to a peaceful, prosperous, and free world and to strengthening strategic security;

Declare as follows:

A Foundation for Cooperation

We are achieving a new strategic relationship. The era in which the United States and Russia saw each other as an enemy or strategic threat has ended. We are partners and we will cooperate to advance stability, security, and economic integration, and to jointly counter global challenges and to help resolve regional conflicts.

To advance these objectives the United States and Russia will continue an intensive dialogue on pressing international and regional problems, both on a bilateral basis and in international fora, including in the UN Security Council, the G-8, and the OSCE. Where we have differences, we will work to resolve them in a spirit of mutual respect.

We will respect the essential values of democracy, human rights, free speech and free media, tolerance, the rule of law, and economic opportunity.

We recognize that the security, prosperity, and future hopes of our peoples rest on a benign security environment, the advancement of political and economic freedoms, and international cooperation.

The further development of U.S.-Russian relations and the strengthening of mutual understanding and trust will also rest on a growing network of ties between our societies and

peoples. We will support growing economic interaction between the business communities of our two countries and people-to-people and cultural contacts and exchanges.

Political Cooperation

The United States and Russia are already acting as partners and friends in meeting the new challenges of the 21st century; affirming our Joint Statement of October 21, 2001, our countries are already allied in the global struggle against international terrorism.

The United States and Russia will continue to cooperate to support the Afghan people's efforts to transform Afghanistan into a stable, viable nation at peace with itself and its neighbors. Our cooperation, bilaterally and through the United Nations, the "Six-Plus-Two" diplomatic process, and in other multilateral fora, has proved important to our success so far in ridding Afghanistan of the Taliban and al-Qaida.

In Central Asia and the South Caucasus, we recognize our common interest in promoting the stability, sovereignty, and territorial integrity of all the nations of this region. The United States and Russia reject the failed model of "Great Power" rivalry that can only increase the potential for conflict in those regions. We will support economic and political development and respect for human rights while we broaden our humanitarian cooperation and cooperation on counterterrorism and counternarcotics.

The United States and Russia will cooperate to resolve regional conflicts, including those in Abkhazia and Nagorno-Karabakh, and the Transnistrian issue in Moldova. We strongly encourage the Presidents of Azerbaijan and Armenia to exhibit flexibility and a constructive approach to resolving the conflict concerning Nagorno-Karabakh. As two of the Co-Chairmen of the OSCE's Minsk Group, the United States and Russia stand ready to assist in these efforts.

On November 13, 2001, we pledged to work together to develop a new relationship between NATO and Russia that reflects the new strategic reality in the Euro-Atlantic region. We stressed that the members of NATO and Russia are increasingly allied against terrorism, regional instability, and other contemporary threats. We therefore welcome the inauguration at the May 28, 2002 NATO-Russia summit in Rome of a new NATO-Russia Council, whose members, acting in their national capacities and in a manner consistent with their respective collective commitments and obligations, will identify common approaches, take joint decisions, and bear equal responsibility, individually and jointly, for their implementation. In this context, they will observe in good faith their obligations under international law, including the UN Charter, provisions and principles contained in the Helsinki Final Act and the OSCE Charter for European Security. In the framework of the NATO-Russia Council, NATO member states and Russia will work as equal partners in areas of common interest. They aim to stand together against common threats and risks to their security.

As co-sponsors of the Middle East peace process, the United States and Russia will continue to exert joint and parallel efforts, including in the framework of the "Quartet," to overcome the current crisis in the Middle East, to restart negotiations, and to encourage a negotiated

and long-term stability, based on respect for the sovereignty and territorial integrity of the states in the region and United Nations Security Council resolutions. The United States and Russia will continue their constructive dialogue on Iraq and welcome the continuation of special bilateral discussions that opened the way for UN Security Council adoption of the Goods Review List.

Recalling our Joint Statement of November 13, 2001 on counternarcotics cooperation, we note that illegal drug trafficking poses a threat to our peoples and to international security, and represents a substantial source of financial support for international terrorism. We are committed to intensifying cooperation against this threat, which will bolster both the security and health of the citizens of our countries.

The United States and Russia remain committed to intensifying cooperation in the fight against transnational organized crime. In this regard, we welcome the entry into force of the Treaty on Mutual Legal Assistance in Criminal Matters on January 31, 2002.

Economic Cooperation

The United States and Russia believe that successful national development in the 21st century demands respect for the discipline and practices of the free market. As we stated on November 13, 2001, an open market economy, the freedom of economic choice, and an open democratic society are the most effective means to provide for the welfare of the citizens of our countries.

The United States and Russia will endeavor to make use of the potential of world trade to expand the economic ties between the two countries, and to further integrate Russia into the world economy as a leading participant, with full rights and responsibilities, consistent with the rule of law, in the world economic system. In this connection, the sides give high priority to Russia's accession to the World Trade Organization on standard terms.

Success in our bilateral economic and trade relations demands that we move beyond the limitations of the past. We stress the importance and desirability of graduating Russia from the emigration provisions of the U.S. Trade Act of 1974, also known as the Jackson-Vanik Amendment. We note that the Department of Commerce, based on its ongoing thorough and deliberative inquiry, expects to make its final decision no later than June 14, 2002 on whether Russia should be treated as a market economy under the provisions of U.S. trade law. The sides will take further practical steps to eliminate obstacles and barriers, including as appropriate in the legislative area, to strengthen economic cooperation.

We have established a new dynamic in our economic relations and between our business communities, aimed at advancing trade and investment opportunities while resolving disputes, where they occur, constructively and transparently.

The United States and Russia acknowledge the great potential for expanding bilateral trade and investment, which would bring significant benefits to both of our economies. Welcoming the recommendations of the Russian-American Business Dialogue, we are committed to working with the private sectors of our countries to realize the full potential of our economic interaction.

We also welcome the opportunity to intensify cooperation in energy exploration and development, especially in oil and gas, including in the Caspian region.

Strengthening People-to-People Contacts

The greatest strength of our societies is the creative energy of our citizens. We welcome the dramatic expansion of contacts between Americans and Russians in the past ten years in many areas, including joint efforts to resolve common problems in education, health, the sciences, and environment, as well as through tourism, sister-city relationships, and other people-to-people contacts. We pledge to continue supporting these efforts, which help broaden and deepen good relations between our two countries.

Battling the scourge of HIV/AIDS and other deadly diseases, ending family violence, protecting the environment, and defending the rights of women are areas where U.S. and Russian institutions, and especially non-governmental organizations, can successfully expand their cooperation.

Preventing the Spread of Weapons of Mass Destruction: Non-Proliferation and International Terrorism

The United States and Russia will intensify joint efforts to confront the new global challenges of the twenty-first century, including combating the closely linked threats of international terrorism and the proliferation of weapons of mass destruction and their means of delivery. We believe that international terrorism represents a particular danger to international stability as shown once more by the tragic events of September 11, 2001. It is imperative that all nations of the world cooperate to combat this threat decisively. Toward this end, the United States and Russia reaffirm our commitment to work together bilaterally and multilaterally.

The United States and Russia recognize the profound importance of preventing the spread of weapons of mass destruction and missiles. The specter that such weapons could fall into the hands of terrorists and those who support them illustrates the priority all nations must give to combating proliferation.

To that end, we will work closely together, including through cooperative programs, to ensure the security of weapons of mass destruction and missile technologies, information, expertise, and material. We will also continue cooperative threat reduction programs and expand efforts to reduce weapons-usable fissile material. In that regard, we will establish joint experts groups to investigate means of increasing the amount of weapons-usable fissile material to be eliminated, and to recommend collaborative research and development efforts on advanced, proliferation-resistant nuclear reactor and fuel cycle technologies. We also intend to intensify our cooperation concerning destruction of chemical weapons.

The United States and Russia will also seek broad international support for a strategy of proactive non-proliferation, including by implementing and bolstering the Treaty on the Non-Proliferation of Nuclear Weapons and the conventions on the prohibition of chemical and biological weapons. The United States and Russia call on all countries to strengthen and strictly

enforce export controls, interdict illegal transfers, prosecute violators, and tighten border controls to prevent and protect against proliferation of weapons of mass destruction.

Missile Defense, Further Strategic Offensive Reductions, New Consultative Mechanism on Strategic Security

The United States and Russia proceed from the Joint Statements by the President of the United States of America and the President of the Russian Federation on Strategic Issues of July 22, 2001 in Genoa and on a New Relationship Between the United States and Russia of November 13, 2001 in Washington.

The United States and Russia are taking steps to reflect, in the military field, the changed nature of the strategic relationship between them.

The United States and Russia acknowledge that today's security environment is fundamentally different than during the Cold War.

In this connection, the United States and Russia have agreed to implement a number of steps aimed at strengthening confidence and increasing transparency in the area of missile defense, including the exchange of information on missile defense programs and tests in this area, reciprocal visits to observe missile defense tests, and observation aimed at familiarization with missile defense systems. They also intend to take the steps necessary to bring a joint center for the exchange of data from early warning systems into operation.

The United States and Russia have also agreed to study possible areas for missile defense cooperation, including the expansion of joint exercises related to missile defense, and the exploration of potential programs for the joint research and development of missile defense technologies, bearing in mind the importance of the mutual protection of classified information and the safeguarding of intellectual property rights.

The United States and Russia will, within the framework of the NATO-Russia Council, explore opportunities for intensified practical cooperation on missile defense for Europe.

The United States and Russia declare their intention to carry out strategic offensive reductions to the lowest possible levels consistent with their national security requirements and alliance obligations, and reflecting the new nature of their strategic relations.

A major step in this direction is the conclusion of the Treaty Between the United States of America and the Russian Federation on Strategic Offensive Reductions.

In this connection, both sides proceed on the basis that the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Reduction and Limitation of Strategic Offensive Arms of July 31, 1991, remains in force in accordance with its terms and that its provisions will provide the foundation for providing confidence, transparency, and predictability in further strategic offensive reductions, along with other supplementary measures, including transparency measures, to be agreed.

The United States and Russia agree that a new strategic relationship between the two countries, based on the principles of mutual security, trust, openness, cooperation, and predictability requires substantive consultation across a broad range of international security issues. To that end we have decided to:

- establish a Consultative Group for Strategic Security to be chaired by Foreign Ministers and Defense Ministers with the participation of other senior officials. This group will be the principal mechanism through which the sides strengthen mutual confidence, expand transparency, share information and plans, and discuss strategic issues of mutual interest; and

- seek ways to expand and regularize contacts between our two countries' Defense Ministries and Foreign Ministries, and our intelligence agencies.

THE PRESIDENT OF THE
UNITED STATES OF AMERICA:

THE PRESIDENT
OF THE RUSSIAN FEDERATION:

Moscow
May 24, 2002.